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**CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO**

Please note that the regular meeting of the Telecommunications Commission for
Monday, January 28, 2002, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
has been cancelled.

01-14-02A09:48 RCVD

DOCUMENTS DEPT.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
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Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Steno captioning will be available upon request. Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO

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Monday, February 25, 2002, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
has been cancelled.

The next meeting of the Telecommunications Commission is scheduled for
Monday, March 25, 2002

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**Department of Telecommunications and Information Services
City and County of San Francisco**

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3/25/02

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, March 25, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers are turned off during the duration of the meeting.

DOCUMENTS DEPT.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner David Ellington
Commissioner Jan Masaoka
Commissioner Michael Rouan

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2) APPROVAL OF THE MINUTES

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the November 16, 2001 meeting.)

- Adoption of the Minutes – November 16, 2001 Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

**4) DEPUTY DIRECTOR'S POLICY REPORT
ON THE FOLLOWING (Denise Brady):**

FOR DISCUSSION ONLY

- Federal Legislation;
- State Legislation;
- Municipal Legislation;
- Court Proceedings;
- Administrative Proceedings

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) NEW BUSINESS

a) RFP for Public Access Provider

FOR DISCUSSION ONLY

(There is a handout associated with this item.)

- Commissioners' Comments
- Public Testimony

b) AT&T/Comcast Report

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- Commissioners' Comments
- Public Testimony

c) Cable Complaint Hot-Line

FOR DISCUSSION ONLY

(There is a handout associated with this item.)

- Commissioners' Comments
- Public Testimony

d) Telecommunications Plan Recognition Award

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- Commissioners' Comments
- Public Testimony

6) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The next meeting of the Commission will be a regular meeting held on April 22, 2002
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

7) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

8) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the November 16, 2002 Commission meeting.
2. Draft minutes for the November 16, 2001 meeting.
3. Deputy Director's report.
4. RFP for Public Access Provider
5. Cable Complaint Hot-Line Report.
6. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

December 6, 2001 – March 13, 2002

1. E-mail dated February 26, 2002 received from a cable subscriber inquiring why she cannot get some of the channels her friend in Colma can access;
2. E-mail dated February 21, 2002 received from a cable subscriber regarding a scheduled appointment that was not kept by the technician and the difficulty in rescheduling another appointment.
3. E-mail dated January 22, 2002 received from a cable subscriber in San Francisco requesting a list of the San Francisco authorized cable providers and the regulatory minimum service that they are required to provide;
4. Letter and e-mail dated January 21, 2002 from a cable subscriber in San Francisco regarding poor customer service and lack of response;
5. Letter dated on January 4, 2002 from a cable subscriber regarding the quality of AT&T broadband and customer service.
6. E-mailed dated December 9, 2001 from a cable subscriber about problems with cable internet service from AT&T;
7. E-mail dated December 6, 2001 from a cable subscriber who would like to speak about the need for a citywide black network.

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

Monday, March 25, 2002

CITY HALL

ROOM 400

5:30 P.M.

COMMISSIONERS

Kim Bogen, Acting President

David Ellington

Jan Masaoka

Michael Ruan

Helen Danina, Commission Secretary

**Lewis Loeven, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

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Acting President Kim Bogen welcomed new Commissioner Michael Rouan who fills the vacancy left by Bonnie Engel.

Michael Rouan is the Director of Broadcast Operations/Stanford Online for the Stanford Center for Professional Development (SCPD), overseeing the production and deployment of broadcast/online courses originating from Stanford University's School of Engineering. He has been with SCPD for ten years assuring technical and aesthetic excellence for all SCPD productions.

Prior to Stanford University, he taught in San Francisco State University's Educational Technology Master's program, and coordinated the broadcast schedule of the University's cable television station as staff of the Audio/Visual Instructional Television Center.

He received his doctorate from the University of San Francisco in Curriculum and Instruction. He received his undergraduate degree in Radio/Television and Master's degree in Educational Technology from San Francisco State University. He and his family reside in the Sunset District.

1. Call to Order and Roll Call

The meeting was called to order by Acting-President Kim Bogen at 5:30 P.M. and roll was called by the Commission Secretary.

Present: Acting-President, Kim Bogen
Commissioner E. David Ellington
Commissioner Jan Masaoka arrived late
Commissioner Michael Rouan

Acting President Bogen changed the order of agenda item #2, Approval of the November 16, 2001 Minutes, to follow agenda item #5, New Business.

3. Communications

The descriptions of the communications received by the Commission are listed at the end of this agenda.

Public testimony – none; Commissioners' comments – none.

4) Deputy Director's Policy/Legislation Reports

Deputy Director Brady highlighted two items from the following issues in her report:

- Board of Supervisors
- Congress
- Federal Communications Commission

- Open Access
- Industry News

1. *Declaratory Ruling and Notice of Proposed Rulemaking Concerning High-Speed Access to the Internet over Cable and Other Facilities – GN Docket No. 00-185 – reported previously*

- On March 14, the FCC released a declaratory ruling in response to the Notice of Inquiry regarding classification of cable modem services.
- The FCC declared cable modem service an interstate “information service” subject to federal jurisdiction.
- This classification removes cable modem services from the jurisdiction of local franchising authorities’ cable and telecommunications regulatory authority – therefore, cities cannot collect franchise fees on revenues from the service.

2. *Industry Forms Working Group To Lobby For Rights-Of-Way Deregulation*

- A group of telecommunications companies, including AT&T, RCN, and SBC, have formed an Industry Rights-of-Way Working Group to lobby congressional and regulatory bodies regarding what they perceive to be barriers to deploying services.

Deputy Director Brady reported that California cities do not receive franchise fees on telecommunications, but San Francisco does receive revenues from companies excavating its streets. Rights-of-way regulation is important in San Francisco because it has a population of 1.2 million during the day in a 49 square mile area. The rights-of-way regulations in San Francisco have resulted in 42% less street excavation, even though there are a number of companies excavating the streets.

Commissioner Ellington asked for an assessment of RCN's deployment. Deputy Director Brady reported that the City is presently having discussion regarding RCN's request for an amendment in the franchise requirements. RCN is providing voice, data, and video services to its customers.

There was no public testimony on this agenda item.

Commissioner Masaoka joins the Telecommunications Commission meeting.

5. New Business

5(a) RFG for Public Access Provider

Brian Wilson, Telecommunications and Policy Analyst, reported that in July 2001 the Commission asked staff to conduct a public process for the next grant award for a public access provider. The draft of this proposal was reviewed by a number of City departments, including the City Attorney's Office, Human Rights Commission, and the DTIS' contract group, and two Telecommunications Commissioners. The proposal was issued on February 15, 2002; a pre proposal conference was held on March 8, 2002;

deadline for submission of written questions for clarification was set on March 13, 2002; and the proposal is due at Department of Telecommunications and Information Services (DTIS) on March 29, 2002.

The review panel for the Request for Grant (RFG): For a Public Access Services Provider includes Acting President Kim Bogen, Deputy City Attorney, Christine Ferrari, Brian Wilson, and Laura Cirivello, Executive Director of the Santa Rosa Media Center. The selection, evaluation and negotiation process will be completed by the end of April 2002. The Public Access Services Provider grant award will be presented to the Board of Supervisors and Telecommunications Commission at the end of August 2002.

Two budget proposals are included in the RFG: \$678,000 and \$811,00. The lower amount, \$678,000, is designated by the City for fiscal year 2002-2003 and is based upon this year's budget process. The \$811,000 benchmark was budgeted and approved by the City for fiscal year 2001-2002. It is for the best interest of agencies applying that both budgets be stated.

The following people introduced themselves during public testimony regarding the process for the grant proposal:

- Zane Blaney, Executive Director, San Francisco Community Television Corporation (SFCTC), announced that the SFCTC is pleased to participate in the competitive process for the management of public access and will be submitting an application on Friday, March 29, 2002. However, the budget at \$678,000 is a dramatic decrease which would result in staff layoffs, reduced hours of operations and access to the new facility. Although the \$811,000 is a better level of funding than \$678,000; it is not the \$861,000 that DTIS and the Commission agreed upon in 1998. He urges the Commission to join SFCTC to urge the Board and Supervisors and the Mayor to develop ways to fund the public access center at least at \$811,000, and develop a sustainable public access funding for SFCTC that it can be counted on from year to year. The opening of the new facility is set for the end of April, 2002.

Commissioner Masaoka was interested to know whether the timing was sufficient for closing the operations of SFCTC should they not be awarded the contract. Zane Blaney believed that the timing is satisfactory, since the preferred applicant will be selected in April 2002 and negotiations will be completed on June 17, 2002. He is concerned that SFCTC will not have sufficient funding after June 30, 2002 to continue operating the channel at its current level since the new funding will not be available before the end of July 2002 – August 2002. Commissioner Masaoka asked that he bring this matter to the attention of DTIS and Commissioners should the need arise.

The following SFCTC staff, SFCTC Board of Directors, and supporters introduced themselves:

- Tom Barkett, Programming Coordinator;

- Linda Garcia, Chief Engineer;
- Sade Huron, Graphic Design Coordinator;
- Alice Yu, Training and Internship Coordinator;
- Jane Levine, Operations Manager, worked at the station before SFCTC took over and commented on the difference it made to have a management organization that cares about public access television;
- Aaron Vinck, Assistant Director;
- John McCartney, an independent minority producer in San Francisco expressed his concern about the conservative bias on rulings and regulations in telecommunications. He is concerned that free speech, particularly as it pertains to minority communities, be protected should an entity other than SFCTC be awarded the grant for public access services provider.
- Peggy Coster, Board of Directors SFCTC, recounted the accomplishments of SFCTC in building a state of the art facility completely accessible to the disabled, to Asians, Hispanics, youths, and non-profits. She expressed her concern that a budget of \$678,000 would result in staff layoffs, reductions in training and hours, and a need for membership dues.
- Meg Cooch, a representative of Planning for Elders in the Center City (PECC), handed a letter from Marie Jobling, Executive Director of PECC to the Commissioners and summarized the contents to the public. This letter is enclosed.
- John Higgins, Board of Directors Vice President, Chair, Program Committee, is responsible for the development of policy and procedures for the channel. He suggested that on page 5, section 5b, The Request for Grant Applications: For a Public Access Services Provider, implies content restriction about what people are allowed to air on public access.
- Arnel Valle, an independent producer, gave his support SFCTC and expressed his concern about the possible reduced budget.
- Ellison Horne, President, Board of Directors of SFCTC, emphasized San Francisco's leadership in public access and services for the underserved population. He pointed out that the lower budget would result in under use of the services that the new facility could potentially provide to the community.
- Jordan Greene, Board of Directors SFCTC, Chair of Development Committee, observed that many community groups use the facility. To adequately provide voice for these organizations, he urged the Commission to support the higher budget.

Commissioner Ellington expressed concern that RFG document may not have placed enough emphasis on the community based outreach for minorities and women producers.

Commissioner Masaoka asked whether Commissioners are part of the Selection/Review Committee. Acting-President Bogen indicated that she is a member and asked whether Commissioner Masaoka or Commissioner Rouan would like to participate on the Selection/Review Committee. Commissioner Masaoka felt that Commissioner representation was important on the Selection/Review Committee because of the broadness of the RFG. Acting-President Bogen agreed that two Commissioners should sit on the Selection/Review Committee.

Acting-President Bogen summarized the three overarching issues made by the public:

- The budget baseline of \$678,000 would be restrictive in terms of the services that could be provided;
- The community outreach for minorities and women producers, and the spirit of independent programming are insufficiently emphasized in the public access document. The selection criteria must emphasize them;
- The selection/review process must ensure that there is no restriction on content that someone may want to present.

Brian Wilson explained that in the baseline budget (\$698,000), 100 hours of local origination programming was meant to ensure that locally produced programming gets on the channel versus imported programming. The programming requirements are a benchmark that is not meant to be exclusive nor place a restriction on content.

Deputy Director Brady asked Brian Wilson to speak to the sections in the document that addressed community outreach. He stated that for both budgets, \$678,000 and \$811,000, and included in the "Introduction" and "Scope of Work," the principals of public access are stipulated to provide outreach to nonprofit, community based, and youth organizations.

Christine Ferrari, Deputy City Attorney, expressed her opinion that many of the comments that were raised are covered in the document. The document sufficiently addressed all of the concerns; there were no additional criteria introduced in the discussion.

5(b) AT&T/Comcast Report

Deputy Director Brady reviewed the process for the approval of transfers. The approval of the merger involves the Federal Communications Commission and the Department of Justice. The City will be able to file comments on those proceedings. The local franchise authority requires AT&T to seek local approval of this transfer. The transferee applies to the FCC and the company files Form 394. Cities have 30 days to request

additional information, and the process needs to be concluded in 120 days. The review criteria are limited to: the operation of the franchise, financial capability, and technical expertise. In addition, the city can address non compliance. A hearing will be scheduled with the Board of Supervisors for its approval.

Deputy Director Brady indicated to the Commission that the City is waiting for a response to the letters sent to the company, and will keep the Commissioners informed to determine what role the Commission might play.

5(c) Cable Complaint Hot-Line

This report was requested by Supervisor Tom Ammiano, member, Public Utilities and Deregulation Committee, January 18, 2002, to track certain types of cable complaints received by the City's cable hot-line. The breakdown of complaints by types, compiled by the Commission Secretary, covered the period from January 18, 2002 to March 20, 2002; there were a total of 97 complaints from 44 subscribers.

- Problems with Customer Service = 33 complaints;
- Billing Problems = 22 complaints;
- Programming = 15 complaints;
- Problems with Equipment = 7 complaints;
- Installation and technician problems = 7 complaints;
- Service outages = 4;
- Backlog for installing digital cable from analog = 2;
- Cable fee = 1;
- Cancel service = 1;
- Pay-per-view movies: free coupons = 1;
- Pricing = 1;
- Service Disconnected = 1;
- Subscription rates for low income or Life line – 1

There are approximately 198,000 cable subscribers.

All cable complaints received on the City's cable hot-line are entered into a database and tracked by type of complaint. The AT&T Customer Service Representative is sent the complaints, and an e-mail is returned to the Commission Secretary when a resolution is found for each complaint.

Acting President Bogen inquired whether these types of customer complaints would be helpful when looking at the franchise in the future. Deputy Director Brady stated that Customer Service is an important issue in managing the franchise.

Commissioner Masaoka suggested that the Telecommunication Commission hold a hearing about Customer Service complaints with AT&T; she does not believe these types of statistics are reliable, given the lack of public awareness regarding the complaint line. Deputy Director Brady stated that Former President of the Commission

Ernie Jackson held a Telecommunications Commission hearing in April 2001 on cable complaints. The cable complaint information has been maintained by the Commission Secretary who tracks the complaints and their resolutions. The enclosed list has incorporated the new types of complaints requested by Supervisor Tom Ammiano. The number of complaints/inquiries in this report is not indicative of the number of complaints that AT&T corporation receives. The franchise regulatory authority telephone number is printed on the cable bill and is used by those people who cannot resolve their problems by calling AT&T Customer Service. The City is investigating our ability to enforce customer service standards. The issue regarding the transfer, renewal, and enforcement of the existing franchise will be discussed with AT&T.

Commissioner Ellington asked whether the Board of Supervisors plans to hold a hearing on AT&T Customer Service complaints. Deputy Director Brady responded that President Ammiano introduced a request for a hearing, but a hearing has not yet been held. President Ammiano requested that DTIS collect and report back to him the type of cable complaints received on the City's cable hot line. Deputy Director Brady indicated that at the next meeting with AT&T a request will be made to the company to report on the number and types of cable complaints it receives.

Commissioner Masaoka recommended that the Telecommunications Commission join the Board of Supervisors, if they have a hearing regarding AT&T customer service.

Linda Crayton, Director of Government Affairs for AT&T Broadband, spoke during public testimony regarding the cable company's summary-by-complaint-type. This compilation of complaints and inquiries was put into this particular format in answer to Board President Ammiano's request. AT&T logs in all complaints/inquiries sent by the Commission Secretary, and responds regarding the outcome of the complaints/inquiries. In addition, AT&T sends a quarterly report of customer complaints/inquiries received from the City.

5(d) Telecommunications Plan Recognition Award

Acting-President Bogen stated that on January 18, 2002, the Public Utilities and Deregulations Committee reviewed and approved the Telecommunications Plan that had been drafted and prepared by the Commission and the Department of Telecommunications and Information Services (DTIS). On January 28, 2002, the Board of Supervisors approved the Plan. And on February 8, 2002, the Mayor signed resolution No. 68-02 adopting the City's first Telecommunications Plan. In order to commemorate this event and to thank the people who worked on this document, awards were presented. The staff at DTIS have already received their awards. They are: Former Director and CIO, Liza Lowery, Brian Roberts, Policy and Planning Services Manager and principal writer of the Plan, Denise Brady, Deputy Director, Heidi Sieck, Telecommunications and Policy Analyst, Helen Danina, Commission Secretary. Awards were also given to past President Ernest Jackson, Commissioner David Ellington, Former Commissioner Bonnie Engel, Commissioner Jan Masaoka, and Commissioner Kim Bogen. The inscription on the awards reads:

Name

In recognition and appreciation of your contribution and participation in developing the first Telecommunications Plan for the City and County of San Francisco, adopted by the Mayor and the Board of Supervisors on February 8, 2002.

2. Approval of the November 16, 2001 Minutes

Actions Taken

Commissioner Masaoka made a motion, seconded by Commissioner Ellington, to approve the minutes as drafted of November 16, 2001. The Commission moved to adopt the minutes with four ayes [Bogen, Ellington, Masaoka, Rouan], none opposed.

6. Calendar Matters

The next meeting of the Telecommunications Commission will be on Monday, April 22, 2002, 5:30, City Hall, Room 400.

There was no public testimony on this agenda item.

The enclosed "Pending Topics List" is a recap of the topics set at the workshop on December 8, 2001. No new topics have been added.

Commissioner Masaoka asked that a workshop be scheduled to set the topics of interest for the year to be discussed at the regular meeting of the Telecommunications Commission. Acting President Bogen indicated that a workshop will be scheduled as soon as the last vacancy on the Telecommunications Commission is filled.

Commissioner Ellington asked that a report be distributed to the Commissioners documenting the IT topics of interest for the Board of Supervisors, as well as the IT topics reported by Deputy Director Brady.

There was no public testimony on this agenda item.

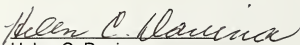
7. General Public Testimony

John McCartney, of John McCartney and Associates, a multi media management company predominantly dealing with African American and Latino television production, expressed concern about regulations placed on telecommunications, and feels that African Americans are under represented on television. He asked whether it would be possible to have an African American commercial channel in San Francisco. Commissioner Ellington said that no government body can create and regulate a channel and that John McCartney should work with SFCTC.

8 Adjournment

Acting President Bogen adjourned the meeting at 7:40 p.m.

Respectfully submitted,


Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, April 22, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

AGENDA

There are two action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers are turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

DOCUMENTS DEPT.

Acting-President Kim Bogen
Commissioner David Ellington
Commissioner Jan Masaoka
Commissioner Michael Rouan

APR 19 2002

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2) APPROVAL OF THE MINUTES

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the March 25, 2002 meeting.)

- Adoption of the Minutes – March 25, 2002 Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) **DIRECTOR'S REPORT ON THE
FOLLOWING MATTERS (Lewis Loeven):**

FOR DISCUSSION ONLY

- Major Accomplishments;
- Telecommunications Plan;
- PEG with Emphasis on Education and Government;
- Franchise Management;
- Business Development Related to Telecommunications Providers;
- Digital Divide;
- Federal Legislation;
- Street Furniture;
- Public Safety Network Bond Project;
- Internal Operations;
- Enterprise Approach to Information Technology;
- Other

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) **DEPUTY DIRECTOR'S POLICY REPORT**

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) **NEW BUSINESS**

a) **Enable Direct Connections for Wireless**

ACTION ITEM

911 Calls Resolution 02-026

(The handout associated with this item is the full text of Resolution 02-026.)

**RESOLUTION TO URGE THE WIRELESS COMPANIES TO COMPLETE THEIR
CONVERGENCE TO ENABLE DIRECT CONNECTIONS FOR WIRELESS 911
CALLS IN SAN FRANCISCO.**

- Commissioners' Comments
- Public Testimony
- Commissioners' Vote

b) **Fiber and Sewer Franchise Update**

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- Commissioners' Comments
- Public Testimony

c) Educational Access EAtv-CH27

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- Commissioners' Comments
- Public Testimony

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The next meeting of the Telecommunications Commission is a Special Meeting to be held on April 30, 2002, DTIS, 875 Stevenson St., 5th floor, San Francisco, 5:00 p.m.
- Please note the next regular meeting date has been changed from May 27 which is Memorial Day to Wednesday, May 29, 2002
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
 - Public Testimony
 - Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the April 22, 2002 Commission meeting.
2. Draft minutes for the March 25, 2001 meeting.
3. Deputy Director's Report.
4. Resolution 02-026 urging wireless companies to complete their convergence to enable direct connections for wireless 911 calls in San Francisco.
5. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

March 14, 2002 – April 18, 2002

1. E-mailed received complaining about the lack of opportunities for minority contractors at DTIS.
2. Letter received from Linda Crayton, Government Relations Director, about AT&T Broadband's risk assessment and deposit policy.
3. Letter received from Linda Crayton, Government Relations Director, submitted the rebuild progress report in accordance with Section 25 (b), Ord. No. 226-99, amending the Cable Television Franchise.
4. Memorandum received from Linda Crayton, Government Relations Director, submitted on March 29, 2002 regarding Semi-Annual San Francisco Network Upgrade Report.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packets items, as noted on the Communications page, are available for public review on the Commission's web site (see address above), the San Francisco Main Public Library, 5th Floor, Government Documents Section or by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying applicable Commission documents at DTIS, payable at the time of service.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

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Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

MINUTES

Monday, April 22, 2002

CITY HALL

ROOM 263
5:30 P.M.

COMMISSIONERS

Kim Bogen, Acting President
David Ellington
Jan Masaoka
J. Michael Myatt
Michael Rouan

DOCUMENTS DEPT.

JUN 3 2002

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Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

1. Call to Order and Roll Call

The meeting was called to order by Acting Chair Jan Masaoka at 5:30 P.M. and roll was called by the Commission Secretary.

Present: Acting Chair Jan Masaoka
Commissioner E. David Ellington
Commissioner J. Michael Myatt
Commissioner Michael Rouan

Absent: Acting President Kim Bogen

Acting Chair Jan Masaoka welcomed J. Michael Myatt who was sworn in by the Mayor as Commissioner a few days ago. J. Michael Myatt said he looked forward to working with the Commissioners and the Department of Telecommunications and Information Services (DTIS) and hoped to make a difference participating on an important Commission in the City.

2. Approval of the March 25, 2002 Minutes

Action Taken

The approval of the minutes was adopted with four ayes [Ellington, Masaoka, Myatt, Rouan], none opposed.

3. Communications

The description of the communications received by the Commission are listed at the end of this agenda.

Public testimony – none; Commissioners' comments – none.

4. Director's Report

Acting Chair Jan Masaoka extended a warm welcome to the new Executive Director, Lewis Loeven. During Executive Director Loeven's first three weeks, he reviewed budgets, projects, and the Telecommunications Plan with staff at DTIS. He asked Brian Roberts, Senior Regulatory Analyst, to update the Commission on the implementation of Plan since its adoption on February 8, 2002, and to give a brief report on the CA Channel.

Telecommunications Plan Implementation

Brian Roberts reported on the following implementation measures of the Plan:

- DTIS solicited applications for carriers to install fiber optics in the sewer systems;

- DTIS worked with Emergency Communications Department (ECD) to enhance access to emergency services; a resolution is presently before the Commission to urge wireless carriers to improve their access;
- DTIS developed an E-government strategy, and redesigned its web site.

CA Channel

- CA Channel is on the Public Access Channel, and DTIS has encouraged AT&T to seek an alternative channel location without success;
- The City has not asked AT&T to put the CA Channel on an unused PEG channels, because they are available only in the rebuilt areas, which constitutes about 15% of San Francisco.

Acting Chair Masaoka inquired whether there was a date when the CA Channel issue will be resolved. Brian Roberts indicated there was no date yet, but the issue could be included for discussion in the AT&T/Comcast franchise transfer. The Board of Supervisors (BOS) is holding a public hearing on the AT&T/Comcast merger and renewal on May 7, 2002, and will also meet in closed session. DTIS is waiting for direction from BOS as to San Francisco's strategy with respect to the transfer.

Executive Director Loeven continued his report by stating that the Public Safety Network Bond project which provides data network for E-9-1-1 was completed on March 3, 2002 on time and under budget. He looked forward to working with the Commission to develop topics of interest for the coming year.

There was no public testimony.

5. Deputy Director's Policy Report

Deputy Director Denise Brady highlighted two items on the report:

1. CPUC CLAIMS JURISDICTION OVER DSL COMPLAINTS

- On March 28, 2002, the CPUC ruled that it has regulatory oversight for DSL services and allowed the California ISP Association to go forward with its complaint against Pacific Bell/SBC regarding customer service.
- The ruling makes California the first state to claim such jurisdiction over DSL.
- DSL customers can now turn to the CPUC for assistance with customer service issues.

2. SENATOR MCCAIN SEEKS REVIEW OF CABLE TELEVISION RATES

- Senator John McCain (R-AZ) requested the General Accounting Office (GAO) to investigate why cable television rates have risen so quickly (see *Industry* below).
- McCain also asked the GAO to determine whether cable operators could package programming in order for customers to select only the channels desired, and what Congress or the FCC should do to make it happen.

Acting Chair Masaoka asked for an update about the BOS hearing regarding complaints about cable service. Deputy Director Brady stated that cable complaints will probably be an issue during public testimony at the BOS Committee meeting scheduled for May 7, 2002 regarding the AT&T/Comcast merger and renewal. Recently at the National Association of Telecommunications Officers and Advisors (NATOA) in Washington D.C., Deputy Director Brady met with the National Cable Television Association representatives and they agreed to have a joint task force with local franchising authorities and industry representatives to review customer service regulations.

Commissioner Ellington asked for two documents from Deputy Director Brady: BOS IT topics discussed during the last twelve months; and topics to be discussed during the next twelve months.

There was no public testimony on this item.

6. New Business

a) Enable Direct Connections for Wireless 9-1-1 Calls - Resolution 02-026

Executive Director Loeven introduced Thera Bradshaw, Executive Director, of the Emergency Communications Department (ECD), who compared the following scenarios in a PowerPoint presentation (handouts attached):

- Citizen places 9-1-1 call;
- California Highway Patrol (CHP) receives calls in Vallejo;
- CHP triages call - approximately 60 seconds;
- CHP transfers to SF - approximately 10 seconds;
- Call received at ECD with no data
ECD determines need, priority, and dispatches police, fire or medical response;
- Improved connection saves critical time - 70 seconds;
- ECD receives 9-1-1 wireless calls directly;
- Upon call receipt, telephone number and cell tower address automatically displayed;
- 9-1-1 Public Safety Dispatcher determines need, priority, and dispatches police, fire or medical response.

Commissioner Ellington asked whether resolution 02-026 as originally written is strong enough to address direct connection for 9-1-1 wireless. Executive Director Bradshaw

replied that with this hearing and resolution, a clear message was sent that this is a priority in San Francisco. Commissioner Ellington pointed out that three of the six carriers have complied: Nextel Communication, Verizon Wireless, and Sprint PCS. He asked whether there were dates for AT&T, Cingular, and Metro PCS to comply. Executive director Bradshaw replied that it is anticipated these carriers will complete Phase 1 by May 1, 2002, that only Sprint PCS has provided a firm plan for Phase II, and that there are no definite dates for the other five carriers to complete Phase II.

Acting Chair Masaoka asked the Secretary to read the resolution as presented:

Resolution No. 02-026

**URGING WIRELESS CARRIERS TO COMPLETE THEIR CONVERGENCE TO
ENABLE ENHANCED 9-1-1 ON WIRELESS 9-1-1 CALLS IN SAN FRANCISCO**

WHEREAS, Currently the California Highway Patrol (CHP) receives San Francisco wireless 9-1-1 calls, so that these calls must be routed to San Francisco's Public Safety Answering Point (PSAP); and

WHEREAS, In March 31, 2001 San Francisco notified the CHP of its intent to implement direct routing of wireless 9-1-1 calls; and

WHEREAS, Direct connections for wireless 9-1-1 calls will make the San Francisco PSAP the first responder for emergency calls, replacing the CHP; and

WHEREAS, Becoming the first responder for wireless 9-1-1 calls will result in improved information and result in quicker response to 9-1-1 calls, enhancing public safety; and

WHEREAS, Direct connections for wireless 9-1-1 calls are essential for identifying telephone numbers and allowing public safety personnel to automatically receive information about the geographical origin of a 9-1-1 call from a wireless phone; and

WHEREAS, The Federal Communications Commission (FCC) has adopted rules FCC docket 94-102, which require wireless carriers to implement enhanced 9-1-1; and

WHEREAS, The Board of Supervisors adopted resolution 867-01, which urges the Emergency Communications Department to work in collaboration with the Telecommunications Commission to enhance wireless 9-1-1 operations; and

WHEREAS, Three of six wireless carriers operating in San Francisco have begun implementation of direct routing and Phase I FCC requirement;

RESOLVED, The Telecommunications Commission urges all wireless carriers to complete their convergence to enable enhanced 9-1-1 on wireless 9-1-1 calls in San Francisco.

Commissioner Masaoka asked whether the above project related to the 9-1-1 tax. Executive Director Bradshaw responded that the 9-1-1 tax that funded capital improvement projects was approved by vote of the residents of San Francisco. Wireless access is funded; part of the funding of the wireline side comes from the State of California.

Acting Chair Masaoka asked whether the use of wireless phones has increased the call volume. Executive Director stated that 4,300 calls are received daily, which is considered high volume traffic; but, the increase in call volume provides better information for public safety emergency response.

Commissioner Ellington asked what can be done with the non-emergency calls. Executive Director Bradshaw replied that the plan is to clarify how to access government services. Some communities in America have introduced access to government services known as 3-1-1, just as access to public safety is 9-1-1. The Mayor is considering the recommendations for 3-1-1.

Commission Ellington asked that resolution 02-026 be amended as follows:

Urging all wireless carriers in San Francisco to comply with Phase I and Phase II FCC 94-102 requirements for wireless calls in San Francisco by November 1, 2002 and, if a wireless carrier is unable to meet this November deadline, to report to the Commission by July 1, 2002 why compliance is not feasible and when San Francisco can expect compliance.

There was no public testimony.

Action taken

The approval of the amended resolution was adopted with four ayes [Ellington, Masaoka, Myatt, Rouan], none opposed.

b) Fiber and Sewer Franchise Update

Senior Regulatory Analyst Brian Roberts reported on the new process for granting franchises so that carriers can install fiber facilities in the City sewers. The new approach to facilitate fiber optics deployment is to place fiber in the existing infrastructure of the sewers. This would avoid disruptive street excavation; make installation of fiber cheaper and faster; allow installers to get closer to their customers and go places where the fiber optics deployment has not yet gone.

The City issued a solicitation for applications on February 2, 2002. Three companies applied: CityNet, Ca-Botics, CableRunner. Each company has different technology and different business models. DTIS is the lead on the project and is working with Public Utilities Commission (PUC) and Department of Public Works. There are

agreements with a number of other cities, but the actual deployment in North America is in Albuquerque, NM, and Toronto, Canada.

The main impact on sewers deal with:

- flow characteristics;
- possible damage to pipes;
- access to pipes;
- maintain and clean sewers;
- map and videotape sewers.

Applications need to be reviewed. DTIS has allowed the companies to obtain a revocable permit to explore the sewer system before franchise approval. A franchise and license will require PUC and the BOS for approval.

Brian Roberts explained that there will be franchise fees associated with this project. Acting Chair Masaoka asked what authority or advisory role the Telecommunications Commission has on this matter. Brian Roberts said that its role in implementing the Telecommunications Plan is to oversee the deployment of new competitive technologies and facilitate entry of new companies. According to the franchise provisions stated in the San Francisco Administrator Code, Chapter 11, the Commission would not have a role in approving the franchise.

There was no public testimony.

c) Educational Access EAtv-CH27

Bruce Smith, Dean of the School of Liberal Arts, City College of San Francisco (CCSF), brought up the following points:

- Re-focus the channel's programming to its educational mission;
- Extend educational use of the channel beyond the current version of telecourses;
- Explore live broadcast of courses where students can call in;
- Develop CCSF base program called "City College Connection";
- Pay Francise Podenski and John Odell from CCSF funds;
- Upgrade cameras, studio, and headend operations;

John Odell, Program Director, CCSF, covered the following points:

- Increase in the amount of locally-produced education programming. For example, in Fall 2002 there will be 7 more hours of locally produced programming, for a total of 14 hours, produced by CCSF, SFSU, Kaiser in Oakland, African Eye, Ethnic Health America;

- Production of mechanisms to promote telecourses, ID's, bulletin boards, "lineup" menus and other "interstitial" – gaps between programming -- to give the channel a professional appearance;
- Increase in the number of students participating from none to 100 of the 400 students involved in producing programming for the channel;
- Promise of fiber optics feed to Sutro tower is still not underway; AT&T has agreed to eventually give CCSF a fiber optics link;
- Need to replace the oldest of the Broadcast Media Services satellite dishes due to metal fatigue and corrosion;
- Aged equipment, obsolete cabling, and lack of past documentation continue to plague the channel with audio problems.
- Modified digital programming sequencer has been altered for closed captioned programming;
- Purchase of a production van with PEG funds from the last franchise agreement will solve the transportation of production equipment.

Francine Podenski, Channel Manager, CCSF, addressed staffing and budget issues:

- EAtv-Ch27 employs headend operators 59 hours each week, funded partially by a City grant from San Francisco's cable franchise fees. In addition, the San Francisco Community College District (SFCCD) pays 20 hours per week for an assistant graphic designer/headend operator, and 29 hours per week for channel programming, administration, and clerical support;
- Broadcast Media Services provides video and satellite services for the SFCCD;
- SFCCD allocated general fund money for maintenance, supply, and other budgets to support EAtv-Ch27;
- Unified School District and City College are expanding their visibility in San Francisco community by creating local programming and training opportunities for students;
- Unified School District assembled the resources to create its own programming. CCSF will work with it to find ways to use the channel to bring televised educational material to students, parents and faculty at the K-12 level;
- Studies are ongoing regarding the feasibility of running live, interactive, distance learning on the channel through the telephone.

Commissioner Ellington asked whether the channel is reaching out to community-based organizations. Francine Podenski indicated that they reach out to anyone who produces educational materials. Michael Rouan invited the representative from CCSF to come to Palo Alto where he runs Stanford University's distance education channel and on-line system. He asked whether the locally-produced programming is done at CCSF. Francine Podenski stated there are three kinds of productions: student productions; video productions which create instructional materials for the college; and SFUSD productions which install live call-in homework hot-line working jointly with the CCSF student production staff and supervised by faculty from both schools. This last program was discontinued because funding was lost.

Michael Rouan asked how success was measured. Francine Podenski mentioned student enrollment in telecourse classes that are cablecast on educational access television, and in addition, 450 students who are enrolled in Broadcast Electronic Media Arts classes. Commissioner J. Michael Myatt asked about the objective of the channel 27. Francine Podenski indicated that their educational access television has offered distance learning programs since the 1980s. Students and faculty from the Broadcast Electronic Media Arts department have managed the channel for the last two years.

Jackie Wright, Executive Director, San Francisco Unified School District, Office of Public Engagement and Information, stated that there is a need to communicate to the more than 60,000 students, the 7,000 employees, and the community at large. The Media Action team has been created to use the various communications departments to air the work of the students and the district. Funds are being sought to meet the school district's basic needs. Currently, the school district's projects are run with the help of interns and volunteers. KALW, the school district's radio station, has a program called "Inside Out" which briefly describes what is going on in the district. Channel 27 also helps the school district communicate to parents, who speak 50 different languages.

Acting Chair Masaoka asked Dean Smith what the overriding message of these reports was. (Commissioner Ellington leaves the Commission meeting.) Dean Smith said that the most important message is how the station operates the instruction/educational programs, and what it broadcasts. CCSF is trying to distinguish Channel 27 from the government and public access channels.

During public testimony, Kazmi Torii formerly a student in the Broadcasting department at CCSF expressed that there were only eight computers for 20-22 students. She asked whether the studio could be opened to former students who had taken Broadcasting classes.

Acting Chair Masaoka informed the speaker that the Telecommunications Commission does not have the authority to make changes at CCSF, but since the CCSF representatives have heard her concerns, they may want to respond to her after the meeting.

Acting Chair Masaoka asked whether EA-TV-CH27 tracked the overall viewership of the station and how has it changed over the last couple of years. Francine Podenski said that the only way they can track viewership is by the enrollment in the telecourse programs.

7. Calendar Matter

The next meeting of the Telecommunications Commission is a Special Meeting to be held on April 30, 2002, DTIS, 875 Stevenson St., 5th floor, San Francisco, 5:00 p.m.

Please note the next regular meeting date has been changed from May 27, 2002, which is Memorial Day, to Wednesday, May 29, 2002.

Acting Chair Masaoka requested that the wireless 9-1-1 compliance Phase I and II be included in the Pending Topics List, for July 2002 and November 2002 agendas; and, that the main agenda item for the April 30 Special Meeting be prioritizing topics to be addressed by the Commission for the annual calendar.

Public testimony – none; Commissioners' comments – none.

8. General Public Testimony

David G. Miles Jr., President, California outdoor Rollerskating Association, and former member of SFCTC Board of Directors considers the new lottery policy to be destructive because shows must change time slots every six months. His show "Skatin' Place" has been on the air for 7 years. He feels the channel does not distinguish between locally produced programs and programs produced outside of San Francisco.

Greg Richardson, producer at San Francisco public access Channel 29, gave his speaking time to speak to David G. Miles Jr., who argued that to change time slots is to lose the audience he has built during the 7 years he has been on the air. He mentioned that the San Francisco Labor Council, AFL-CIO passed a resolution in opposition to channel 29's lottery and recommends election of the CTC Board. He felt the producers and programmers need to be included when the City awards the contract. His press release is attached.

Leon (did not give his last name) also complained about the change in time slots; and, that shows produced elsewhere were competing for air time with locally produced shows. In addition, he criticized the new CTC facility and equipment stating that it was inferior to prior arrangement.

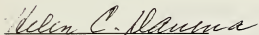
Kazmi Torii, a producer, distributed a resolution which opposed Channel 29 lottery and advocated an elected CTC Board. A copy of the resolution is enclosed. She was also concerned about the change in time slots and wanted more representation of producers and programmers on the Board of Directors of CTC.

Zane Blaney, Executive Director, SFCTC asked the San Francisco Labor Council, AFL-CIO to reconsider the resolution they had passed. He said the goal of public access is to give the public a voice and not to build viewership.

Acting Chair Masaoka expressed her view that the contract approval process needs to go forward in a fair and timely manner. The issues that were raised during general public testimony were management issues that can be resolved at the contractor's management discretion. Those issues do not need to be addressed; what is important is a speedy finalization of the contract.

Acting Chair Masaoka adjourned the meeting at 7:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Helen C. Danina". The signature is written in dark ink and is positioned above the printed name.

Helen C. Danina

NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Wednesday, May 29, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

This meeting is in lieu of the regularly scheduled meeting of May 27, 2002 (Memorial Day)

AGENDA

There are two action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner David Ellington
Commissioner Jan Masaoka
Commissioner J. Michael Myatt
Commissioner Michael Rouan

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MAY 24 2002

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2. APPROVAL OF THE MINUTES, April 22, 2002 Regular Meeting ACTION ITEM
(Commissioners will vote to adopt the minutes. The handout associated with this item is
the Minutes from the April 22, 2002 regular meeting.)

- Adoption of the Minutes – April 22, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3. APPROVAL OF THE MINUTES, April 30, 2002 Special Meeting ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the April 30, 2002 special meeting.)

- Adoption of the Minutes – April 30, 2002 Special Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

4. COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

5) DIRECTOR'S REPORT ON THE FOLLOWING MATTERS (Lewis Loeven):

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- **Proposal to reassess the State of Telecommunications in San Francisco;**
- **Minority Owned Business Enterprise/Women Owned Business Enterprise (MBE/WBE);**
- **Telecommunications Plan Review and Implementation;**
- **Board of Supervisors Hearing**
 - **AT&T/Comcast Merger Update**
 - **Government Service Center 3-1-1;**
- Public Testimony
- Commissioners' Comments

6) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
 - **State Legislation;**
 - **Municipal Legislation;**
 - **Court Proceedings;**
 - **Administrative Proceedings**
- (There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) NEW BUSINESS

a) Proclamation for Ernie Jackson

FOR DISCUSSION ONLY

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

**b) Status of Application Process for
Public Access Providers**

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- **An update will be given on the status of the application process for Public Access Providers.**

- Public Testimony
- Commissioners' Comments

c) Government Access – CityWatch Update

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- **Marco Bruno, Citizen Technology Services Manager, and Priscilla Watts, CityWatch Manager, will give a presentation on CityWatch's programming and services.**

- Public Testimony
- Commissioners' Comments

8) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The next regular meeting date of the Telecommunications Commission is on June 24, 2002

- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

9) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

10) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the May 29, 2002 Commission meeting.
2. Draft minutes for the April 22, 2002 regular meeting.
3. Draft minutes for the April 30, 2002 special meeting.
4. Deputy Director's Report.
5. Proclamation for Ernie Jackson.
6. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

April 23, 2002 – May 9, 2002

1. E-mail received requesting that a consideration be given to force new cable franchisee to construct fiber network from Moscone Convention Center to all of the major hotels in the City.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
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Commission Information:

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SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

DISABILITY ACCESS

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

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NOTICE

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Tuesday, April 30, 2002, 5:00 PM – approx. 9:00 PM

Department of Telecommunications and Information Services (DTIS)
875 Stevenson, 5th Floor
Learning Resource Center
Special Meeting
WORKSHOP

AGENDA

There is no action item on this agenda.
All items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

The Commission respectively requests that all cell phones and pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner David Ellington
Commissioner Jan Masaoka
Commissioner Michael Rouan

04-17-02 APR 17 RCVD

2) PUBLIC TESTIMONY

3) PUBLIC MEETING TRAINING

FOR DISCUSSION ONLY

4) REVIEW AGENDA TOPICS WITH DTIS EXECUTIVE DIRECTOR AND STAFF

FOR DISCUSSION ONLY

5) ADJOURNMENT

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

**Special Meeting
Tuesday, April 30, 2002**

**Department of Telecommunications and Information Services
875 Stevenson St., 5th floor
San Francisco, CA 94103**

5:00 P.M.

COMMISSIONERS

**Kim Bogen, Acting President
David Ellington
Jan Masaoka
J. Michael Myatt
Michael Rouan**

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Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. Call to Order and Roll Call

Commissioner Ellington called the Special Meeting of the Telecommunications Commission to order at 5:10p.m. Roll was called by the Commission Secretary.

Present: Commissioner E. David Ellington
Commissioner Jan Masaoka
Commissioner J. Michael Myatt
Commissioner Michael Rouan (was connected by telephone)

Acting President Kim Bogen arrived immediately after roll call.

2. Public Testimony

There was no public testimony.

3. Public Meeting Training

John Taylor, former clerk to the Board of Supervisors (BOS), facilitated the discussion regarding public meetings. The training he provided covered the following topics:

Public Meeting Basic Documents

- The Sunshine Ordinance
 - Covers many of the same subjects as the Brown Act, and Public Records Act;
- The Brown Act
 - Is the open meeting law of California;
- The Political Reform Act
 - Deals with conflicts of interests and Form 700 Statement of Economic Interest;
- Rules of Order
 - Adopted by the Telecommunications Commission and covers some of the same subjects in the Robert's Rules of Order;
- Administrative Code
 - Covers the establishment of the Telecommunications Commission, Article IX, Section 11.84-89.
- Roles

The Sunshine Ordinance

- Brown Act & Public Records Act

- Open Meetings
 - Brown Act and Sunshine Ordinance both require notices and public comments;
- Closed Sessions
 - Brown Act and Sunshine Ordinance permit closed sessions under limited circumstances, sometimes called "Executive Session." John Taylor stated that it is unlikely the Telecommunications Commission will ever have a "Closed Session" except to discuss litigation matters with its attorney.

Commissioner Ellington asked that the wording of agenda items not be structured too narrowly. Deputy Director Brady clarified that when the Commission wants to discuss a particular topic, the wording should be specific to that subject; however, if the Commission is seeking a status report on a particular topic, then the wording can be more inclusive.

Mr. Taylor explained that it is permissible for the President to send the proposed agenda to the Commissioners to get their feedback, but it is not permissible if used to get the Commission to agree on policy of any kind.

Rules of Order

- Robert's Rules of Order
 - Tends to be written for larger organizations, such as legislatures, large memberships and associations; it is not written for small groups;
- Commission Rules
 - Repeat a number of tenets that are in Robert's Rules of Order;
- Principles
 - Only one motion is considered at a time;
 - Several motions can be pending at one time, but only if they follow the standard hierarchy;
 - Two motions of the same level cannot be pending at the same time.
- Rank of Motions (hierarchy – start from the bottom)
 - Adjourn;
 - Recess;
 - Table;
 - End Debate;
 - Continue or Postpone;
 - Reference;
 - Postpone indefinitely;
 - Amend an amendment;
 - Motion to amend;
 - Main Motion.

Comments

- "Amendment of the Whole" is essentially substituting one piece of paper for another;

- Mandatory voting
 - Charter requires Commissioners to vote and not to abstain;
- Number of votes needed
 - Need a majority of the full membership;
- Disclose conflict
 - If there is a conflict of interest, you cannot vote and discuss the item;
- Form 700
 - New Commissioners have a month to file Form 700 Statement of Economic Interest with the Ethics Commission;
- Closed Session
 - Limited reason to have one;
- Setting the Agenda
 - Set by the President and Executive Director;
- Role of the President
 - President has a right to vote and remain neutral to provide clarity;
 - President should discuss the issues last.

Public Testimony

- Discussion should precede before an agenda item is voted on;
 - Timing is important because the public should testify before the Commissioners' comment;
- General Public Comment
 - Not debatable because not on the agenda;
 - The Commission does have a right to ask for clarification, refer to staff, or ask staff to speak to the person in the hall during the meeting.
- Treat Public Members Equally.

Commission Duties

- Advise the DTIS Director;
- Advise the Mayor and Board of Supervisors about advances in telecommunications;
- Establish policies regarding public rights-of-way;
- Adopt rules and procedures regarding rate regulation, customer service, and the use of PEG channels;
- Settle controversy with subscribers;
- Submit Telecommunications Plan.

Role Highlights

- Respect of Commissioners for each other and for staff;
 - There are natural tensions between Commissioners and staff members;
- In 1932 Charter of the City, Commissions ran the Departments;
- In 1956 Charter of the City, Directors run the Departments;
- Administrative Code lists the duties of the Commission;

- Telecommunications Commission is not DTIS Commission;
- Professional Relationships;
 - Staff does not want to say "no" to the Commissioners at public meetings;
 - Staff members cannot have a fair disagreement with the Commissioner who has the upper hand at a public meeting. It is all right for the Commission to disagree with the Department.

Michael Rouan signed off from the conference call; J. Michael Myatt left the meeting. Acting President Bogen declared a minute break.

Acting President Bogen resumed the meeting by asking the visiting public if they wanted to speak.

4. General Public Testimony

Leon Low, a producer at San Francisco Community Television Corporation (SFCTC), presented a letter to the Commission stating that the new public access television studio "lacks much of the equipment that the old studio had and is much smaller." He would like to have an accounting of the purchases and sales of equipment.

5. Review Agenda Topics with DTIS Executive Director and Staff

Acting President Bogen turned the floor over to the new Executive Director Lewis Loeven, who gave a summary of his fifteen years of experience in domestic and international telecommunications environments, including policy and government affairs, national property management, infrastructure deployment, and business management and planning for the wireless industry. He also stated that he is a member of the Board of Directors of Project Open Hand.

Executive Director Loeven stressed that the Commissioners should know the department and its workings, and expressed his desire to educate the Commission on the whole of DTIS. Recently, Commissioner Ellington accompanied him on a visit to the DTIS office at 901 Rankin Street. During the first month as the Executive Director at DTIS, he established four major categories of concern. The day-to-day Management of DTIS, and Public Safety 9-1-1 are his primary concerns, followed by Enterprise IT, and minority owned business enterprise (MBE) and women owned business enterprise (WBE):

1. Day-to-Day Management of DTIS

- Provide tactical day-to-day operations of DTIS;
- Institute proper billing services in a timely fashion;
- Build tracking system;
- Create better customer supplier relations;
- Promote achievements in the department by creating healthy work environment and morale, and recognize accomplishments.

Public Safety 9-1-1

- Met with police, Executive Director, Thera Bradshaw of ECD, and Deputy Chief Sullivan of Fire Department.

2. Enterprise IT

- Study the pros and cons of centralizing IT for the City and County of San Francisco.

MBE/WBE

- Address the strategies that can be put into place.

Director's Report

The Commission agreed that the Director's Report should contain relevant issues chosen by the Executive Director for discussion at the Telecommunications Commission meetings and not a review of a set list of topics. The Commission agreed with Executive Director Loeven that the day-to-day operations of DTIS are to be left out except when department achievements are reported.

Topics for the Annual Calendar of the Agenda

It was the consensus of the Commission that the topics listed below will be addressed either in a substantial discussion or in updates from time to time at the Telecommunications Commission meeting for the coming year:


- Review and implementation of the Telecommunications Plan;
- PEG;
- Franchise renewal;
- AT&T Comcast merger;
- State of telecommunications in San Francisco;
- Economic development, including MBE/WBE;
- Wireless 9-1-1;
- Cable customer service;
- Street furniture/street excavation;
- The specific items in the Administrative Code which created the Commission;
- Review of some of the topics in the "2000-2001 Pending List."

The Commissioners would like to discuss IT topics before the BOS and act as an advisory body to the BOS on the issue.

5. Adjournment

Acting President Bogen adjourned the meeting at 8:00 p.m.

Respectfully submitted,


Helen C. Danina

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2002

**SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

MINUTES

Wednesday, May 29, 2002

CITY HALL

**ROOM 400
5:30 P.M.**

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COMMISSIONERS

**Kim Bogen, Acting President
David Ellington
Jan Masaoka
J. Michael Myatt
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. Call to Order and Roll Call

The meeting was called to order by Acting President Bogen at 5:35 P.M. and roll was called by the Commission Secretary.

Present: Acting President Kim Bogen
Commissioner E. David Ellington
Commissioner Jan Masaoka
Commissioner J. Michael Myatt
Commissioner Michael Rouan

2. Approval of the April 22, 2002 Minutes

Action Taken

Commissioner Masaoka made a motion, seconded by Commissioner Ellington, to approve the minutes as amended of April 22, 2002, page 10, next to last paragraph under "General Public Testimony" should read as follows:

Commissioner Masaoka stated that the contract approval process needs to go forward in a fair and timely manner: the issues that were raised during "General Public Testimony" were management matters that can be resolved at the contractor's discretion; those issues need not be addressed before the contract is awarded; speedy finalization of the contract is important.

Commissioner Masaoka made a motion, seconded by Commissioner Ellington, to approve the minutes of April 22, 2002 as amended. The Commission moved to adopt the amended minutes with five ayes [Bogen, Ellington, Masaoka, Myatt, Rouan], none opposed.

3. Approval of the April 30, 2002 Minutes

Action Taken

Commissioner Ellington made a motion, seconded by Commissioner Myatt, to approve the minutes of April 30, 2002 as drafted. The Commission moved to adopt the minutes with five ayes [Bogen, Ellington, Masaoka, Myatt, Rouan], none opposed.

4. Communications

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony – none; Commissioners' comments – none.

5. Director's Report

Executive Director Loeven stated that at the Special Meeting of April 30, 2002 a variety of topics of interest to the Commission were discussed. Executive Director Loeven is committed to report on these topics as well as raise new issues. Although the Telecommunications Plan is to be reviewed every two years, the Commission felt it would be appropriate to check the Plan now in preparation for future planning. A comprehensive research is not budgeted in the coming fiscal year and therefore only recommendations can be accomplished.

Proposal to reassess the state of telecommunications in San Francisco

The Executive Director sought direction from the Commission on this subject, offered some options and requested that the Commission work together with the Department to define their desired outcomes. Once defined participants in this endeavor could possibly include local exchange carriers, cable operators, wireless providers, and the public; they would be invited to attend a panel discussion or workshop with the Commission. A workshop could also be arranged between DTIS staff and industry representative to present a report to the Commission.

Minority owned business enterprise/women owned business enterprise (MBE/WBE)

The Executive Director intends to provide opportunities to the MBE/WBE community. Work has begun on a strategy to improve outreach data collection and build an internal expenditure database. DTIS hopes to join Judith Blackwell, City Purchaser, to develop outreach to the community. The Executive Director will personally review all procurement actions. Further, the strategy and vision of DTIS is to build an outreach plan. Chief Administrator Officer Chris Vein, is identifying and creating strategies for outreach by tracking successes, by improving internal outreach procedures, and by providing timely and detailed information to managers, HRC vendor lists, and DTIS vendors lists.

Telecommunications Plan review and implementation

Brian Roberts, senior regulatory analyst at DTIS, reported that the goals and initiatives in the Telecommunications Plan are divided into four categories: (1) ongoing activities, (2) cable franchise enforcement and renewal, (3) advocacy, (4) Enterprise IT (EIT), and (5) deferred. Each of the categories has a different implication for the implementation plan.

1. Ongoing Activities

The following initiatives are consistent with the City's Telecommunications Plan. In many cases - such as electronic government - these initiatives are fairly developed. These are projects for which implementation plans can be created with limited effort within the next quarter.

These initiatives include:

- Facilitating entry by telecommunications providers;
- Developing e-gov infrastructure;
- Adopting rules and procedures to use and operate PEG, such as the new public access grant;
- Adopting street furniture policy.

2. Cable Franchise Enforcement and Renewal

As the Department and Commission prepare for renewal at the beginning of 2003, the implementation plan will emerge as a plan for the renewal process. This should be prepared in the 4th quarter of 2002. The following initiatives and policies will:

- Identify future cable related community needs and review of cable operator performance as part of renewal;
- Support efforts for low income consumers;
- Ensure that facilities meet relevant codes and electrical standards;
- Promote access;
- Implement customer service standards.

3. Advocacy

Opportunities for advocacy depend on the schedules of federal and state legislative and regulatory bodies. A general strategy for advocacy can be developed within the next two months so that the City can intervene as opportunities arise.

4. EIT

The Telecommunications Plan initiatives are contingent on the creation of a central, enterprise IT department responsible for managing telecommunications infrastructure and resources. They include:

- Consolidation of telecommunications management;
- Design, implementation, and maintenance of a converged voice, video, and data network.

5. Deferred

The projects that the City may not be able to do in 2002 are intended to:

- Provide public access points;
- Inventory fiber resources;
- PEG operates, develops and implements presentation standards and increases

use of emerging technologies.

Board of Supervisors Hearing

1. AT&T/Comcast Merger Update

Brian Wilson, Policy Analysis at DTIS gave the following report:

- On May 7, 2002, the Board of Supervisors (BOS) had a follow-up hearing regarding the January 18, 2002 meeting of the Public Utilities and Deregulation Committee. Supervisors Gonzalez, McGoldrick expressed interest in the performance of AT&T Broadband and the proposed transfer of the franchise from AT&T Broadband to AT&T Comcast.
- The Supervisors were updated on the transfer from AT&T to Comcast: 1) that AT&T has not applied for a transfer of the franchise, and 2) that AT&T has provided a "complimentary copy" of their FCC Form 394 application to the City.
- DTIS has reviewed the transfer, franchise audit, and notices to AT&T regarding their compliance with the franchise.
- Assistant City Attorney Julia Friedlander updated the BOS on the timeline for transfer approval. She presented recent law cases affecting the transfer process including *Charter v Santa Cruz* and the *City of Thousand Oaks v Aldelphia*.
- Ms. Friedlander stated that the City Attorney's office takes the position that AT&T, as a result of its proposed merger, is required under Section 6 of their franchise to apply for approval from the BOS.
- The BOS Legislative Analyst presented a study concerning benefits and outcomes of recent franchise renewals and case studies of the municipally-owned cable television systems of Alameda, CA and Tacoma, WA.
- AT&T Vice President of Government Affairs/Franchising, Rick Witherington, addressed the company's position of not applying for approval of a transfer and its understanding of Section 6, the status of the franchise grantee – Television Signal Corporation (TSC), the company's compliance with the City's EBO policy, customer service practices, and presented charts outlining their proposed corporate structure after the merger including staffing of TSC.
- The committee heard testimony from public interest groups, media activists, Access San Francisco, CTC, and the public. Topics included customer service, senior discounts, PEG channels and support, need for more scrutiny of the cable provider and the franchise, suggestions regarding new franchise requirements.

2. Government Service Center 311

Heidi Sieck, Policy Analyst at DTIS gave the following report:

- 311 is a toll free number available to local governments to use for non-emergency services.
- Both the Mayor and Supervisor Gavin Newsom are advocating for 311 in San Francisco. Supervisor Newsom called for a second hearing in April to review the

status of 311 in the City.

- Thera Bradshaw, Director of the Emergency Communications Department (ECD) explained that the proposal for a Government Service Center would house a 311 Call Center as well as provide a physical back-up to the 911 Combined Emergency Communications Center at Turk Street. The proposal also includes a Comprehensive Customer Relationship Management (CRM) initiative. The proposal was completed and presented to city department heads in March.
- At the April hearing, Director Bradshaw presented an overview of the proposal as well as provided written copies to the Supervisors and the public. Heidi Sieck of DTIS presented further information about CRM and the expertise available at DTIS. She also reiterated the need for an ongoing partnership between ECD and DTIS.

The next steps of the project are:

- 1) Secure Phase I funding for a project manager and business analysis (\$300,000 to \$500,000);
- 2) Set up a 311 Task Force to oversee and further develop the project.

Commissioner Myatt asked when the state of telecommunications in San Francisco was last assessed. Deputy Director Brady indicated that it was done in 1999 in support of the Telecommunications Plan. Commissioner Ellington asked whether a policy should be instituted in which the Telecommunications Plan will be reviewed every two or three years. Commissioner Masaoka replied that when the Plan was adopted, the Commissioners explicitly stated that the Plan would be reviewed annually; therefore a modest reassessment of telecommunications would naturally follow. Commissioner Masaoka made the following points: the assessment of the state of telecommunications has been interpreted too narrowly; the state of telecommunications industry in San Francisco regarding the economic contributions to the City by the industry is of particular interest. It is also important to work with the Mayor's Office of Economic Development and Community Development, City institutions, as well as the private institutions and think tanks.

Commissioner Ellington asked Deputy Director Brady whether she could report on the private sector activities relating to the reassessment of the state of telecommunications. Deputy Director Brady said yes.

Commissioner Myatt asked whether it was the Commission's or DTIS's roles to develop the Telecommunications Plan for San Francisco. Commissioner Ellington indicated that it is the Commission's responsibility to develop, create, and provide direction for the Telecommunications Plan with input from the Mayor's Office, BOS, and DTIS staff. Commissioner Masaoka replied that it was the Commission's responsibility to provide the vision. Commissioner Ellington indicated that central to the Plan is the Enterprise IT strategy to centralize IT for the City. He also commented that the key points in the Director's report are in accord with the goals discussed in the Telecommunications Plan with the addition of public safety concerns in response to the September 11 event.

Executive Director Loeven stated that EIT is a goal in the Telecommunications Plan. In addition, he envisioned a participatory role for the diverse community that the City serves, and will continue to oversee cable issues, including providing good service to the citizens.

Acting President Bogen agreed that the role of this Commission is to help facilitate building and communicating the vision of telecommunications in the City and County of San Francisco. By reassessing the state of telecommunications in the broadest possible way, the Commission can develop a vision that the Department and City can embrace. Acting President Bogen will appoint a Commissioner to work with the Department to track and to develop the scope of the reassessment. Commissioner Myatt indicated that the reassessment process should contain the overall state of telecommunications and also the state of telecommunications in San Francisco.

Commissioner Myatt asked whether service-disabled veterans were included in the MBE/WBE project as is the case on the federal level under Federal Law 106-50. Executive Director Loeven assured the Commission that diverse community encompasses all groups of people. Commissioner Masaoka suggested that the department not only list outreach groups in the database, but should work with other groups such as, micro enterprise incubators, business incubators, women's business incubators, and minority business incubators. Further, the Commissioners might also have other connections that might be helpful to the Department for outreach purposes.

Commissioner Masaoka commented that in some areas in California 311 is being outsourced, which should be considered during discussions of the 311 proposal.

During public testimony, Steve Zelter, Vice Chair, Producers and Programmers Network, expressed concerns about the running of the cable television franchise agreement in San Francisco with AT&T. He stated that AT&T is requiring the residents of San Francisco to subscribe to digital cable at a rate increase in order to be able to view HBO. He also stated that Comcast is being sued in the Midwest for spying on its web users. His organization is in favor of public ownership of cable franchise because they do not believe that private ownership will benefit the residents of San Francisco because of their financial problems and interest in increasing their profits. For example, fifty percent of the residents of Korea have high speed broadband access because the initiative was taken by the government.

6. Deputy Director's Policy Report

Deputy Director Denise Brady said she will address last week's developments which are not on her report. There were some important telecommunications court decisions issued by the Supreme Court and the U.S. Court of Appeals regarding competitive telecommunications issues and mandates of the Telecommunications Act of 1996. The subject matter of these decisions include pricing of Unbundled Network Elements (UNEs), market definition and nationwide availability of UNEs, and line sharing for competitive DSL services. More details will be provided at next month's Commission meeting.

The Federal Communications Commission (FCC) proposed a multi million dollar fine on AT&T wireless for violations of its Phase II enhanced "911" rules. AT&T has not met the requirements of Phase II and further did not submit a report explaining why they were having difficulties meeting it, and the FCC used them as an example by proposing a 2.2 million dollar fine. There are several other companies that also have not met that deadline but they did provide reports to the FCC.

Thera Bradshaw, Executive Director of ECD presented her report on "San Francisco Consolidated 911 Public Safety Communications" at the April 22, 2002 Telecommunications Commission meeting. The Commission passed a resolution urging the wireless carriers in San Francisco to comply with Phase I and Phase II requirements.

There was no public testimony on this item.

7. New Business

a) Proclamation for Ernie Jackson

Acting President Bogen asked Commissioners Ellington and Masaoka to present the following proclamation to Ernie Jackson:

WHEREAS, Ernest Jackson served with distinction as a member of the Telecommunications Commission since its inception in 1997 and elected President in July 2000 before stepping down in January 2002; and

WHEREAS, under Commissioner Jackson's leadership, the Telecommunications Commission successfully completed the Telecommunications Plan which was adopted by the Board of Supervisors and on February 8, 2002, the Mayor signed resolution 68-02 adopting the City's Telecommunications Plan; and

WHEREAS, Commissioner Jackson supported the enforcement of the AT&T cable franchise, especially customer service standards, the open non-discriminatory access to broadband and Internet service, the long sought transfer of the Public Access Cable TV channel to the City's designated non-profit, the San Francisco Community Television Corporation, the approval of the RCN Cable TV Franchise providing competitive cable TV, local and long distance voice and high speed Internet services to the San Francisco residential market; and the City's Y2K Project Management Plan, and

WHEREAS, Commissioner Jackson has dedicated himself to the citizens of the City and County of San Francisco to ensure that they have a voice in the rapidly changing telecommunications industry and has shown great commitment to make sure that those changes will benefit the citizens of this City in the most positive way possible; and

THEREFORE, BE IT RESOLVED, that I, Willie L. Brown, Jr., Mayor of the City and

County of San Francisco, commend Ernest Jackson and thank him for his outstanding contributions to our City and its residents, and wish him a happy, prosperous and rewarding future, and do hereby proclaim May 29, 2002 as Ernest Jackson Day In San Francisco!

There was no public testimony.

b) Status of Application Process for Public Access Providers

Brian Wilson stated that a published request for grant application for public access application was received during the first quarter, and the review process was begun. The review panel included: Commissioners Kim Bogen and Michael Rouan, Laura Cirivello, Executive Director of the Santa Rosa Community Media Center, Ross Braver, resident of San Francisco and video coordinator of the City of San Jose, and Brian Wilson, DTIS. The application review has been completed; the panel will tour the facility of San Francisco Community Television Corporation (SFCTC) on June 7, 2002 and will meet with the Executive Director Zane Blaney, members of the Board of Directors, and staff for an interview and discussion regarding their application.

Commission Masaoka asked whether the budget discussion for public access was part of this negotiation. Brian Wilson said that the budget for the grant proposal is tied to the budget process for the City. Commission Masaoka wanted to know whether additional funds were available for public access. Mr. Wilson suggested that available funds will be reviewed. Funding requires the approval of the Mayor and the Board of Supervisors. He also mention that the timeline for the grant proposal is on track; it is anticipated that the Board of Supervisors will approve this process in August, and steps have been taken for interim funding so that the public access can continue to operate.

During public testimony, Kozmi Torii, Secretary, Producers and Programmers Network of San Francisco made three points. One, the board of directors of CTC are self-appointed and that producers are not represented on the board. Since the grant money is coming from the City, it is her opinion that there should be an elected board of directors. Two, priority of the programs should be given to San Francisco producers; at the present time no distinction is made between programs produced in San Francisco and programs produced elsewhere. She felt the lottery system does not guarantee the same time slot for their programs, which causes them to lose viewers. Three, CTC is now closed two days a week because of the budget; she claims there is mismanagement.

Steve Zelter, Vice Chair, Producers and Programmers Network of San Francisco made the following points: no other public access station is closed two days a week; the other public access stations in Northern California, who have a smaller budget, manage to stay open seven days a week; it is the right of residents in San Francisco to use the facilities since a significant amount of money has been sent to build this new facility; there should be an elected board of directors; there should be an elimination of the lottery system which has created an adversarial situation where the producers and programmers are angry and unhappy.

Commissioner Masaoka asked whether the previous speaker was suggesting that the Commission not continue forward and complete the negotiations with SFCTC for this contract. The speaker responded that the Commissioners should state that they will not tolerate the situation that currently exists.

Zane Blaney, Executive Director, SFCTC stated that SFCTC always had producers on its board of directors, which is part of the mandate in their bylaws. Presently no distinction is made between programs produced in San Francisco and programs produced elsewhere by a San Francisco resident. There are limitations on the hours of operations on the facility which is determined by the budget level. SFCTC has not refused to engage volunteers or interns in the facility and will be expanding this in the future. Many of the issues that have come up will be discussed through the review of the request for grant proposal process.

Commissioner Masaoka wanted to know the reasons for instituting the lottery system. Mr. Blaney said that in 1993 applications expired after 28 weeks on the channel and the applicant would go to the end of the line if there was a wait list. Unfortunately, the rule was not enforced evenly. For example, Mr. Zelter had the same time slot for nearly twenty years, Thursday nights at 8:00 o'clock. There is a huge demand for public access in San Francisco. It was necessary for new and existing producers to share the resource and primetime slots. In January, 2002, the old policy was instituted. When an application expires the producers must pick from a hat a number to determine who would pick first from the available time slots. A review and a survey of this has been distributed for response.

Commissioner Masaoka thought this was a good solution for many of the producers that have not had a chance to be on the air. The system would allow greater democracy of access to the channel for all producers.

c) Government Access – CityWatch Update

Marco Bruno, Citizen's Services Manager introduced Priscilla Watts, Channel Manager of CityWatch, by stating that CityWatch is part of a broader family that includes the internet and the web, and it is only by combining these resources that the citizen's of San Francisco are better served.

Priscilla Watts gave a Powerpoint presentation and a short video of the services provided by CityWatch. Please see attached hardcopy.

Calendar Matter

The next meeting of the Telecommunications Commission is a Regular Meeting to be held on July 22, 2002, City Hall, room 400, 5:30 p.m.

The attached "Pending Topics List" was amended as per Commissioner Masaoka's request.

Public testimony – none.

9. General Public Testimony

Commissioner Masaoka stated that this was her last meeting because her term ends next month and she will not be able to attend the June 24th meeting. She has been on the Commission since its inception in 1997. Commissioner Masaoka said she learned an enormous amount and provided some parting remarks and recommendations to the Department and Commission. She also thanked all the Commission secretaries, including Helen Danina, former Commissioner Jackson and Commissioner Ellington.

Acting President Bogen adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, June 24, 2002, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner David Ellington
Commissioner Jan Masaoka
Commissioner J. Michael Myatt
Commissioner Michael Rouan

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2) **APPROVAL OF THE MINUTES, May 29, 2002 Special Meeting** ACTION ITEM
(Commissioners will vote to adopt the minutes. The handout associated with this item is
the Minutes from the May 29, 2002 special meeting.)

- Adoption of the Minutes – May 29, 2002 Special Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this
agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT ON THE FOLLOWING MATTERS (Lewis Loeven): **FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Executive Director):

- **Wireless carriers regarding E-911**
- **Update of AT&T/Comcast merger**
- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT **FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

a) Report on Channel Timeslots Distribution for Public Access Producers **FOR DISCUSSION ONLY**

(An explanation of the procedure of assigning timeslots distribution for public access producers. There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

b) Commission Proclamation Honoring Commissioner Jan Masaoka **FOR DISCUSSION ONLY**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS **FOR DISCUSSION ONLY**

(There is a handout associated with these items.)

- The next regular meeting date of the Telecommunications Commission is on July 22, 2002

- Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
- Public Testimony
 - Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the June 24, 2002 Commission meeting.
2. Draft minutes for the May 29, 2002 regular meeting.
3. Deputy Director's report.
4. Commission and Department proclamation commending Commissioner Jan Masaoka.
5. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

May 29, 2002 – June 10, 2002

1. Letter received from Accesssf (San Francisco Community Media) explaining about the change in policy regarding the availability of timeslots on the channel. A copy of a survey was mailed to Access San Francisco public access TV Community producers.
2. Letter received from Thera Bradshaw, Executive Director, Emergency Communications Department informing the Commission of her resignation.
3. E-mail received from a producer at Accesssf requesting that 2 PEG channels be provided for the public as a condition of the transfer agreement for cable franchise in San Francisco.
4. E-mail received from a cable subscriber complaining about cable prices going up and why does AT&T Broadband not provide regulatory information?

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

DISABILITY ACCESS

The San Francisco City Hall is wheelchair accessible. Accessible seating for persons with disabilities, including those using wheelchairs, is available.

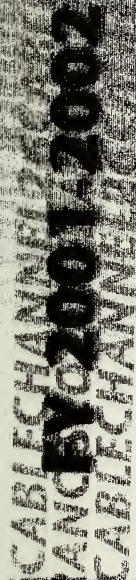
The closest accessible BART station is the Civic Center station, located at the intersection of Grove, Hyde, and Market Streets.

Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.



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Department of Telecommunications
and Information Services



2007-08-06

Mission Statement

Our Mission is to provide citizen access via, television and related media, to forums where public policy is discussed, debated and decided; and to create and distribute programming that expands civic awareness and encourage citizen participation in government



FY2001-2002

Demands for Services vs Resource

Videotape sales

- \$6,000 in tape sales @ \$10 per meeting



2001-2002

Video Streaming Service

**Contract with Ipolis.net corp.
Budget Committee on the intranet**



CABLE CHANNEL 20
CABLE CHANNEL 20
CABLE CHANNEL 20

Emergency Response

Robotic camera and equipment in
Press Room, Office of Emergency
Services

Video streaming





FY 2001-2002

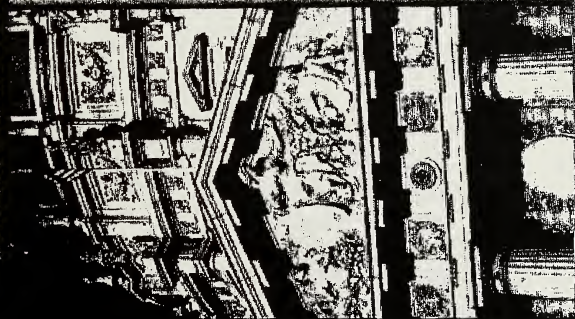
Special Production Projects

**DTIS Annual Report
Station ID**

**How to apply for a City job - DHR
Community Conservation on Parks
DOT Safe Driver - DHR**

Department of Telecommunications
and Information Services

Annual Report 2000-2001



Department of Telecommunications and Information Services

Annual Report 2000-2001

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Technology Services

Operations and Infrastructure

Telecommunications Commission

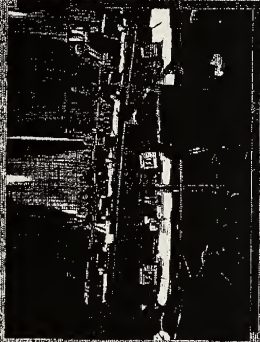
DRIS Recognition



Written and produced by staff of CityWatch, San Francisco Government Cable Television Channel 26



CABLECHANNEL
ANCHOR 2001-2002
CABLECHANNEL



Viewer Survey

Conducted by Public
Research Institute at
San Francisco State University
Received Final Report - May 28th



Marketing of Channel

Promotional Announcements on the
Channel

Monthly program guide

AT&T monthly program guide

Monthly City Hall Scoop

SF Independent newspapers

BOARD OF SUPERVISORS

Board of Supervisors
LIVE Mondays at 2:00 p.m.
Replay same day at 8 p.m.

Finance Committee
LIVE Wednesdays at 12:30 PM
Replay same day at 6:00 PM

Health and Human Services Committee
LIVE 1st & 3rd Thursdays at 1:00 PM
Replay same day at 6:00 PM

Neighborhood Services and Recreation Committee
LIVE 2nd & 4th Thursdays at 2:00 PM
Replay same day at 9:00 PM

Public Works & Public Protection Committee
LIVE 1st & 3rd Thursdays at 10:00 AM
Replay same day at 6:00 PM

Rules & Audit Committee
LIVE 1st & 3rd Tuesdays at 1:00 PM
Replay same day at 6:00 PM

Transportation & Commerce Committee
LIVE 2nd & 4th Thursdays at 6:30 AM
Replay same day at 6:00 PM

Budget Committee
(March - June 1st) 2nd, 3rd, and 4th Tuesdays at 10:00 AM

Audio tapes of the Board of Supervisors' meetings are available from the Clerk's office.

To order audio tapes, contact:
The Clerk of the Board of Supervisors
City Hall, Room 214
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Program schedule is subject to change.

Check the website www.sfgov.org/citywatch for a complete listing of the current week's programming. Tune to San Francisco Cable Channel 26 and view our program schedule on the hour, and on the half-hour.

You may call CityWatch at (415) 557-4293, to hear a recording of schedule updates.

Citywatch News

During the month of May, there is a Citywatch San Francisco Government Cable Channel for watching special programming.

Board of Supervisors Budget Committee Hearing: Supervisors will convene a special budget committee hearing on May 7, 10:30 AM.

Citywatch will broadcast the hearing on U.S. and today the same on May 7 at 9 PM. The message on May 7 is after the next day at 10 PM.

Live coverage and discussion of the Mayor's message, as well as a special message, is with a recording of the City Council's meeting and special session on Council and special session on Council on Citywatch San Francisco Government Cable Channel.

The message is recorded on the Internet at www.citywatchsf.org.

Click the website for a complete Citywatch San Francisco Government Cable Channel for watching special programming.

Please send comments to citywatch@citywatchsf.org.

Citywatch News

During the month of May, time is to
dedicate Citywatch News to the
City of San Francisco Government
Take Command Day for local residents
program.

Board of Supervisors Budget Committee

The Board of Supervisors will conduct

special budget committee hearings on

the May 7, 1990.

Citywatch will continue the series of

advising LDC and reform the issues of

the City of San Francisco on May 7 & 8.

the first day of the

the committee and the Board of

Supervisors' meetings, as well as

the Board of the City of San Francisco

and the Board of the City of San Francisco

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Atlanta, GA 30346-5366

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abc

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OUTREACH

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DE LA CIUDAD DE SAN FRANCISCO
DEPARTAMENTO DE OBRAS
PUBLICAS (siglas en inglés)

divalch
 Revise la guía
 de nuestra p
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鎮江市金山鎮

“加拿大社區發展委員會”(Community Outreach) 為華裔社區服務。(採訪者：謝志強)

民國二十九年

FOR PAPERS WEDNESDAY

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS (DPW) COMMUNITY MEETINGS are important to work in partnership with the community. We invite you to attend community meetings to discuss your upcoming meetings. At your special neighborhood meeting, you will have the opportunity to discuss your upcoming meetings. At your special neighborhood meeting, you will have the opportunity to discuss your upcoming meetings.

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC
WORKS (DPW) COMMUN-
ITY OUTREACH

長江三

公共工程部走向社區

公共工程部(Dr W)認為與社區建立緊密聯繫是首要的。我們接受公眾的電話、傳真或來信，如果有關於某項工程或計劃對鄰近地區造成不便，請即通知我們，以便技術人員前往調查。如果你屬於某區居民，而該區正進行一項工程，我們亦會派員到該區與你商討有關問題，並聽取你的意見。

如果你有意向，請致電(02)2678 9999 與我們聯絡。如果你有此意向，請致電(02)2678 9999 與我們聯絡。

第 六 四 一 三 号

CITY AND COUNTY
OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS (DPW) COMMUNITY OUTREACH The DPW believes that it is important to

Monday, February 1
View Live coverage of
supervisors' meetings,
Council meetings and
on CITYWATCH, San
Jose's Cable Channel 17.

CIUDAD Y CONDADO DE SAN FRANCISCO

**ALORACE A LA CON-
NIDAD DEL DEPARTA-
MENTO DE OBRAS
PÚBLICAS (OPW):** El OPW
cree que es importante tra-

CITY AND COUNTY OF SAN FRANCISCO-

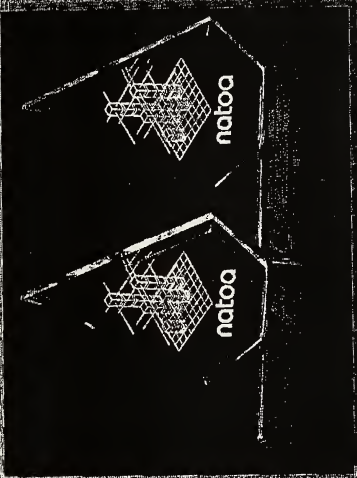
DEPARTMENT OF PUBLIC AND
COMMUNITY OUTREACH

The DYW believes that it is important to work in partnership with the community. We respond to phone calls and letters from the public, attend community meetings, support neighborhood cleanups and much more. If you belong to a neighborhood or merchant association, we would encourage your involvement.



サンフランシスコ郡、サンマ

前巻ではコミニシティとのパートナーシップによる環境林
であり、一部からの電話や手紙の応答。コミニティのミ
ンツ間の交流などを行っている。町内会役員の選挙に「
清洲の環境教育」で受けている中野のミーツ・アップに
するものです。ミーツ・アップ時には、関係の担当者等が特
事に出席し、当局がどのようにによりよいサービスを行え
るかを検討することによって少しでもよくしていただくこと
を目的とする。また、環境省の参加に協力のあふ場合には、電話641
エクランの（Junk Food Eatery）までご連絡ください。
お問い合わせをお待ちしています。





CABLE CHANNEL 22
TV 2001-2002
CABLE CHANNEL 22

Goals for Fiscal Year 2002-2003

Digital Video Server

Advantage:

- Frame accurate fully automated playback
- Computer server base
- Increase programming flexibilities



FY 2001-2002

Goals for FY 2002-2003 (continued)

Satellite Dish

Produce more community oriented programs

Channel policies & procedures approved



Goals for FY 2002-2003 (continued)

Upgrade video streaming capabilities

- Archive Board of Supervisors meetings
- Add searchable index to archive
- Add captions to video streaming

Telecommunications Commission Pending Topics 2002-2003

| | Topics | Last Discussed | Contact | Meeting Date |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------------------------|---------------------|
| 1 | Review and implement the Telecommunications Plan as driven by the changing environment | 5/29/02 | Brian Roberts | |
| 2 | PEG Access Resource Management <ul style="list-style-type: none">• Education Access EAtv-CH27• Government Access CityWatch• Public Access Service Provider: RFG | 4/22/02 5/29/02 5/29/02 | Brian Wilson Denise Brady Brian Wilson | 6/24/02 |
| 3 | Franchise Renewal, Monitoring and Compliance | 4/22/01 | Roberts/ Wilson | |
| 4 | AT&T Comcast Merger | 5/29/02 | Brian Wilson | |
| 5 | Economic Development | 10/22/01 | Ellington | |
| 6 | MBE/WBE | 5/29/02 | Ellington/Vein | |
| 7 | Wireless 911 Connect – Non compliance by July 1, 2002 | 4/22/02 | Brian Roberts | 07/22/02 |
| 8 | Wireless 911 Connect – Compliance Phase 1 and 11 FCC 94-102 by November 1, 2002 | 4/22/02 | Brian Roberts | Nov. TBD |
| 9 | State of Telecommunications in SF | 5/29/02 | Myatt | |
| 10 | Cable Customer Service | 3/26/01 | Brian Wilson/Helen Danina | |
| 11 | Street Furniture/street excavation (public rights-of-way) | 04/30/02 | Brian Roberts | |

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REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

DRAFT

MINUTES

Monday, June 24, 2002

CITY HALL

ROOM 400
5:30 P.M.

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COMMISSIONERS

Kim Bogen, Acting President
David Ellington
Jan Masaoka
J. Michael Myatt
Michael Rouan

Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

1. Call to Order and Roll Call

The meeting was called to order by Acting Chair Ellington at 5:30P.M. and roll was called by the Commission Secretary.

Present: Acting Chair E. David Ellington
Commissioner J. Michael Myatt
Commissioner Michael Rouan

Absent: Acting President Kim Bogen
Commissioner Jan Masaoka

2. Approval of the May 29, 2002 Minutes

Action Taken

Commissioner Rouan made a motion, seconded by Acting Chair Ellington, to approve the minutes of May 29, 2002 as amended, page 7, third paragraph, first and second sentences should read as follows:

Commissioner Myatt asked whether disabled-service veterans were included in the MBE/WBE project as is the case on the federal level under Federal Law 106-50. Executive Director Loeven assured the Commission that for the purposes of DTIS' outreach diverse community encompasses all groups of people.

The Commission moved to adopt the amended minutes with three ayes [Ellington, Myatt, Rouan], none opposed.

3. Communications

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony – none; Commissioners' comments – none.

4. Director's Report

Wireless carriers regarding E-911

At the April 2002 meeting of the Telecommunications Commission a resolution was passed urging all wireless carriers to comply with Phase 1 and Phase 2 of the Federal Communications Commission's (FCC) requirements for providing enhanced 911 services no later than November 1, 2002. At the time of the resolution three of the six wireless carriers have completed Phase 1. Presently, all six wireless carriers have

completed their Phase 1 obligation. None have completed the Phase 2 obligation. Cingular will begin testing Phase 2 this week.

Executive Director Loeven asked the Commission how the carriers should respond if they cannot meet the November 1, 2002 deadline. The Commission asked the carriers to send a letter in care of the Commission Secretary.

Update of AT&T/Comcast merger

On June 14, 2002, Supervisor Gonzalez held a meeting of consumer media advocates regarding the proposed merger of AT&T Broadband and Comcast. Speakers included Dr. Mark Cooper, Consumers Federation of America, Jeff Perlstein, Media Alliance, and Zane Blaney, San Francisco Community Television Corporation. Dr. Cooper listed specific conditions the City should place on the franchisee which included non-exclusive programming, privacy protection to limit use of subscriber information, timelines for system upgrades, additional facilities for City communications needs, and financial accountability. Mr. Perlstein and Mr. Blaney both want greater consumer media advocacy participation in negotiations, enforcement of existing franchise terms, and additional resources for PEG.

Commissioner Myatt stated that the Comcast's performance is not known in San Francisco. He would like to receive information regarding Comcast's customer service performance. Deputy Director Brady offered to provide a short report on Comcast's performance and suggested that it could also be an agenda item for discussion at a future meeting.

Commissioner Myatt asked what was the Commission's role in the renewal process. Deputy Director Brady said the code does not specifically identify the role of the Commission, but the members of the Board of Supervisors have expressed interest for the Commission to play a role during the renewal and transfer process. The Department will also work with the Commission to conduct community assessment and provide a forum for the public and other City departments to express what they want in the franchise during the renewal process.

Commissioner Ellington asked that the report on Comcast's customer service performance to be put on the Commission's website.

Commissioner Ellington inquired whether in the ordinance that created the Telecommunications Commission states that the Commission oversee the franchise agreement. Deputy Director Brady clarified that the Commission's powers and duties include customer service by cable television operators, and the use and operation of cable television public, educational or governmental (PEG) access channels. Commissioner Ellington read from the ordinance some of the Commission's: regulation of rates for the basic cable television service; customer service by cable television operators; use and operations of the cable television public, educational or governmental access channels; and any additional rules and regulations necessary for

the conduct of its business. He also stated that once the negotiations are complete, it is the Commission's responsibility to oversee, enforce and be a watchdog for the public, but it is not the Telecommunications Commission's job to negotiate the contract. Deputy Director Brady said that the Department is not in negotiations at the present time; it is fact finding and analyzing the issue.

Recent Events

The Department has been going through the budget process with the rest of the City. Executive Director Loeven thanked the DTIS staff for their good work, especially Chris Vein and Kathryn Hile of the finance team for developing a budget for DTIS. Commissioners Ellington also thanked the DTIS staff.

5. Deputy Director's Policy Report

Deputy Director Brady indicated that prior to the commencement of the meeting, Commissioner Myatt asked that she briefly explain the important issues regarding cable modem services such as, cable modem proceedings in the courts, proposed legislation on Capitol Hill, notice of proposed rulemaking at the FCC.

In March the FCC came out with a declaratory ruling that classified the high speed internet access a cable system; but recently the FCC issued a declaratory ruling that classified it an information service. If this classification stands, it would neither be under Title II for telephone service, nor Title VI for cable television. Both of these titles offer certain protections, obligations, and regulations to the companies who are providing the service. For example, cable customer service authority is granted to local franchising authority; the Telecommunications Commission has responsibilities to provide support to consumers in certain customer service complaints. The California Public Utilities Commission (PUC) provides certain recourse and support to consumers in telephone customer service complaints. The classification of the cable modem service as an information service does not provide protection to consumers regarding customer service complaints.

Second, before the change of classification AT&T and other companies under federal law paid cities up to 5% fee for occupying the public rights-of-way with their pipes and facilities. With the classification change for cable modem service to an information service most utility companies have stopped paying franchise fees. Local city governments in many parts of the country have been pressuring the cable modem companies to open to other competing internet service providers. If the FCC had classified the cable modem service as a telephone or telecommunications service, they would have been required to open their network to interconnections as a common carrier.

July 16, 2002 was the deadline for filing comments on the FCC notice of proposed rulemaking to clarify the issues of the March classification of cable modem service. Half of the filings are from local governments and National Association of

6. New Business

Report on channel timeslots distribution for public access producers

Brian Wilson, Policy Analysis at DTIS reported that the Review Panel met with representatives of the Community Television Corporation (CTC) staff and the Board of Directors on June 7, 2002 to examine the timeslots distribution policy through a lottery process. The Review Panel concluded that CTC conducted a diligent review of programming policies and practices and is satisfied that CTC was inclusive of the broadest representation of the community and policy making process that embraces the principles of first amendment speech. It supports CTC's ongoing effort to manage public access channel through the adoption of the lottery process as a means to make available a limited resource to the broadest representation of the community; it supports the CTC's ongoing review of this process and believes that this policy is only a first step in ensuring that Access San Francisco is inclusive and available to all residents.

During public testimony the following people spoke:

George Geevargis, a producer claims that his 17 year program once known as "Assyrian TV" was shown intermittently until he renamed it "San Francisco World TV." He stated that his program was bumped because he was unable to attend the lottery meeting.

Rev. Gregory Richardson, producer of the "Good News Show stated that the problem with the lottery system is that you are given a time to attend the meeting to pick a timeslot. If you unable to attend during the prescribed time your show gets bumped. He would like to see this problem resolved.

Zane Blaney, Executive Director, CTC responded that Mr. Geevargis' show has not been singled out and has not exercised any content control on public access programming. When his show application expired, Mr. Geevargis was unable to attend the meeting last month where he would have been able to select a new timeslot; he is also unable to attend the meeting tomorrow. He is able to send a proxy or a friend to pick a timeslot for him.

Regarding Rev. Richardson's comments, Mr. Blaney does not believe that the timeslot selection process warrants a federal grand jury investigation. The Advisory Panel, Commission, and Department have had many weeks to review CTC's grant application.

Zane Blaney informed the Commission that a survey was recently sent to over 400 new producers, existing producers, and community organizations asking for feedback about the timeslots. Forty-seven responses were received from that pool: 15 felt that a life long timeslot was the best approach; over 15 more felt that the current policy was the best approach; and few others had a range of other ideas. A majority of over two hundred public access producers are not in disagreement with the current timeslot

policy.

Commissioner Ellington stated it seems strange to him that people can expect to have a timeslot for life. He wanted to know how long a producer can keep a timeslot and how often the lottery process comes up. Zane Blaney responded that weekly shows remain in the same timeslot for 28 week; shows appearing once a month keep the same timeslot for one year. At the end of that time, the producer comes to a meeting which is held every month to pick a number to be used to select from the available timeslots.

Commissioner Ellington asked how the lottery works. Zane Blaney stated that once an application expires, the person can come to a monthly meeting where a number is picked from a hat to determine who gets to go first to select from the available timeslots.

Commissioner Myatt asked when was the lottery policy in effect. Zane Blaney responded that this policy was adopted in November 2001. A similar policy was in place in 1993 which did not involve a lottery; once a timeslot expired the person went to the end of the line if there was a waiting list. Mr. Blaney said the current policy makes it fairer to pick a slot, and the person does not have to go to the end of the line.

Commissioner Ellington asked whether there was a backlash from viewers because of timeslot changes. Zane Blaney said there was no backlash nor overwhelming responses.

Commissioner Ellington asked how the timeslot issue was handled by other public access channels in the country. Mr. Blaney stated that in Sacramento and Tucson, for example, the shows come off the schedule once a year and producers go through the same process of picking a number to determine who gets to go first. Manhattan does not allow the producers to have any say as to when their show is aired; the management decides on all timeslots.

Commissioner Myatt wanted to know what was the demand. Zane Blaney informed the Commissioner that there are 200 shows on the channel, 350 people have come to the orientations since January 2002 and have to be turned away.

John Higgins, Vice President of the Board of Directors, CTC, chair of the program committee commented that for 20 years public access in San Francisco followed the worst possible model – operations by the cable company. A conflict exists because people want a timeslot that the producers can direct people to. Public access is not about television; it is about community organizing and the first amendment.

Aline Dinoia, producer on Channel 29 protested the cuts in hours. She feels the budget is mismanaged.

George Geevargis producer of "San Francisco World TV" spoke again and stated that if available time is so limited why repeat programs and allow outsiders from other cities to

get time slots. He believes the very essence of public access is to reach local people in San Francisco.

Pankat Amin, a member of the Board of Directors of CTC, said that the programming policy that was developed fits the overall strategic plan. An outreach program was instituted for the various communities in San Francisco and he identified four different constituencies: Latino/Hispanic community; youth community, disabled community; Asian communities. Outreach was directed to non-profit organizations, community centers, and other organizations to get them involved with public access. The timeslot policy at CTC was developed to increase awareness and involvement with organizations not using the system.

Commission proclamation honoring Commissioner Jan Masaoka

Commission Ellington served with Commissioner Jan Masaoka since the inception of the Telecommunications Commission in 1997 and read the following proclamation:

WHEREAS, Jan Masaoka served with distinction as a member of the Telecommunications Commission since its inception in 1997;

WHEREAS, under Commissioner Masaoka's guidance and expertise, the Telecommunications Commission successfully completed the Telecommunications Plan, which was adopted by the Board of Supervisors and was signed by the Mayor on February 8, 2002, as resolution 68-02 adopting it as the City's Telecommunications Plan; and

WHEREAS, Commissioner Masaoka supported the enforcement of the AT&T cable franchise, especially customer service standards, the open non-discriminatory access to broadband and Internet service, the long sought transfer of the Public Access Cable TV channel to the City's designated non-profit, the San Francisco Community Television Corporation, the approval of the RCN Cable TV Franchise providing competitive cable TV, local and long distance voice and high speed Internet services to the San Francisco residential market; and the City's Y2K Project Management Plan; and

WHEREAS, Commissioner Masaoka brought her experience with nonprofit technology applications in strategic planning, financial management, boards of directors, executive transitions, computer applications, and commitment to community planning to her participation on the Telecommunications Commission; therefore, be it

RESOLVED, that the Telecommunications Commission of the City and County of San Francisco, commend Jan Masaoka and thank her for her outstanding contributions to our City and its residents, and wish her a happy, prosperous and rewarding future.

7. Calendar Matter

The next meeting of the Telecommunications Commission is a regular meeting to be held on July 22, 2002, City Hall, room 400, 5:30 p.m.

Attached is the Telecommunications Commission "Pending Topics List.

Public testimony – none.

8. General Public Testimony

9. Adjournment

Acting Chair Ellington adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, July 22, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

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AGENDA

There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner J. Michael Myatt
Commissioner Michael Rouan

2) APPROVAL OF THE MINUTES, June 24, 2002 Regular Meeting **ACTION ITEM**
(Commissioners will vote to adopt the minutes. The handout associated with this item is
the Minutes from the June 24, 2002 special meeting.)

- Adoption of the Minutes – June 24, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this
agenda.

- Public Testimony
- Commissioners' Comments

- 4) **DIRECTOR'S REPORT ON THE FOLLOWING MATTERS (Lewis Loeven):** **FOR DISCUSSION ONLY**
(The following will be discussed or updated by the Executive Director):
- **Six wireless carriers E-911 compliance update**
 - **DTIS Research regarding AT&T and Comcast Customer Service**
 - **Recent Events**
- (There is no handout associated with this item.)
- Public Testimony
 - Commissioners' Comments
- 5) **DEPUTY DIRECTOR'S POLICY REPORT** **FOR DISCUSSION ONLY**
(The following will be discussed or updated by the Deputy Director):
- **Federal Legislation;**
 - **State Legislation;**
 - **Municipal Legislation;**
 - **Court Proceedings;**
 - **Administrative Proceedings**
- (There is a handout associated with this item.)
- Public Testimony
 - Commissioners' Comments
- 6) **NEW BUSINESS**
- a) **Commission Proclamation Honoring Commissioner David Ellington** **FOR DISCUSSION ONLY**
(There is a handout associated with this item.)
- Public Testimony
 - Commissioners' Comments
- b) **Status Report on Public Access Providers Grant Award** **FOR DISCUSSION ONLY**
(There is no handout associated with this item.)
- Public Testimony
 - Commissioners' Comments
- 7) **CALENDAR MATTERS** **FOR DISCUSSION ONLY**
(There is a handout associated with these items.)
- The next regular meeting date of the Telecommunications Commission is on August 26
- Public Testimony
 - Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

8) **GENERAL PUBLIC TESTIMONY**

FOR DISCUSSION ONLY

9) **ADJOURNMENT**

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the July 22, 2002 Commission meeting.
2. Draft minutes for the June 24, 2002 regular meeting.
3. Deputy Director's report.
4. Commission proclamation commending Commissioner David Ellington.
5. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC June 24, 2002 – July 22, 2002

None received.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

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FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

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Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

DRAFT

MINUTES

Monday, July 22, 2002

CITY HALL

**ROOM 400
5:30 P.M.**

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COMMISSIONERS

**Kim Bogen, Acting President
J. Michael Myatt
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. Call to Order and Roll Call

The meeting was called to order by Acting President Bogen at 5:30P.M. and roll was called by the Commission Secretary.

Present: Acting President Kim Bogen
Commissioner J. Michael Myatt
Commissioner Michael Rouan

Agenda 6a "Commission Proclamation Honoring Commissioner David Ellington" was moved ahead as the next item for discussion. Acting President Kim Bogen introduced Mr. Ellington by documenting his background. E. David Ellington is Chairman and CEO of Blue Laser Holdings, LLC, a privately held investment firm. Prior to Blue Laser, Mr. Ellington was chairman, president and chief executive officer of NetNoir Inc, ((investors included AOL Time Warner (NYSE: AOL); Radio One (NASDAQ: ROIA)), the first venture backed African-American targeted internet service. Prior to NetNoir, Mr. Ellington was a sole practitioner in Los Angeles. His firm specialized in international, entertainment and multimedia/new technology law. At that time, he served as the chairman of the international law section of the Beverly Hills Bar Association. He is a member of the State Bar of California.

Mr. Ellington received his BA in History from Adelphi University and MA in Comparative Politics and Government [Africa] from Howard where he concentrated on international, corporate and tax law. He then completed Cornell University's FALCON (Full Year Asian Language Concentration) Program in Japanese.

His corporate activities include being a director in a number of public and private entities. He is the co-founder and chairman, OpNet - technology training program; board of governors, Commonwealth Club of California - public affairs forum; board of directors, San Francisco Jazz Organization (SFJAZZ); member, Business Executives for National Security (BENS).

His civic activities include: Commissioner, Telecommunications Commission for the City and County of San Francisco (1997-2002; President: 1997-2000); member, San Francisco Workforce Investment Board (WIB) (2001-); member, Federal Trade Commission (FTC) Advisory Committee on Online Access and Security (2000).

Academic activities: advisory board, Center for Media Studies, Rutgers University.

His company has been named *Upside* magazine's Technology 'Elite 100' (1999; 2000); *Black Enterprise* magazine's 'Entrepreneurs Award': Business Innovator of the Year (1996).

Acting President Bogen has known Mr. Ellington since his first Internet venture and was proud to serve on this Commission with him.

Commissioner Rouan expressed that he has learned a lot from David Ellington, and Commission Myatt echoed similar sentiments.

The Commission Secretary read the following proclamation:

WHEREAS, David Ellington served with distinction as President of the Telecommunications Commission since its inception in 1997 until July 2000 and as member until July 2002; and

WHEREAS, under Commissioner Ellington's guidance and expertise, the Telecommunications Commission successfully completed the Telecommunications Plan, which was adopted by the Board of Supervisors and was signed by the Mayor on February 8, 2002, as Resolution 68-02 adopting it as the City's Telecommunications Plan; and

WHEREAS, Commissioner Ellington supported the enforcement of the AT&T cable franchise, especially customer service standards, the open non-discriminatory access to broadband and Internet service, the long sought transfer of the Public Access Cable TV channel to the City's designated non-profit, the San Francisco Community Television Corporation, the approval of the RCN Cable TV Franchise providing competitive cable TV, local and long distance voice and high speed Internet services to the San Francisco residential market, and the City's Y2K Project Management Plan; and

WHEREAS, Commissioner Ellington brought his experience with the first venture backed African American targeted internet services, international business and law, minority owned business enterprise/women owned business enterprise to his participation on the Telecommunications Commission; now, therefore, be it

RESOLVED, that the Telecommunications Commission of the City and County of San Francisco, commend David Ellington and thank him for his outstanding contributions to our City and its residents, and wish him a happy, prosperous and rewarding future.

Commissioner Ellington stated that he was proud to serve on the Telecommunications Commission and honored to be its first president for three years. He expressed his appreciation and thanks to the DTIS staff. Mr. Ellington resigned from the Telecommunications Commission because the Mayor appointed him to the Retirement Commission.

2. Approval of the June 24, 2002 Minutes

During public testimony, Carl Bryant referred to the minutes on page 5:

Zane Blaney informed the Commission that a survey was recently sent to over 400 new producers, existing producers, and community organizations asking for feedback about the timeslots.

Mr. Bryant said that only 375 was returned, therefore 400 could have been sent out. Acting President Bogen asked Deputy Director Brady to find out from Mr. Blaney how many surveys were sent out. A correction was made by a member of the public to Mr. Bryant's statement that 375-400 surveys were mailed out and that a response of 39 were returned. The minutes reflected accurately what Mr. Blaney stated at the June 24, 2002 meeting.

Action Taken

Commissioner Myatt made a motion, seconded by Acting President bogen, to approve the minutes of July 22, 2002 minutes.

The Commission moved to adopt the minutes with three ayes [Bogen, Myatt, Rouan], none opposed.

3. Communications

The descriptions of the communications received by the Commission are listed at the end of the agenda.

During public testimony, a person made a statement hat the San Francisco Living Wage Coalition sent a letter to the Commission. The Secretary of the Commission informed the person that no such letter was received. Copies were presented to the Secretary who will include the letter in the August 26, 2002 agenda under "Communications."

Commissioners' comments – none.

4. Director's Report

Six wireless carriers E-911 compliance update

Executive Director Loeven stated that when the former Executive Director Bradshaw, Emergency Communications Department presented 911 service from wireless telephone to the Telecommunications Commission, she stipulated that there was a Phase I and Phase II process of implementing these services. Phase II focuses on the ability of 911 service to locate a caller. The Commission passed a resolution urging the wireless carriers to communicate to the Commission if they cannot meet the November 1, 2002 deadline to complete Phase II.

As per the Commission's request, the following letters were received letters from the six wireless carriers: AT&T Wireless, Cingular, Metro PCS, Nextel, Sprint, Verizon. With the exception of MetroPCS, all carriers believe they can meet the November 2002 deadline. However, all the wireless carriers have caveats regarding technical hurdles that must be overcome in order to provide the Phase II service.

MetroPCS is not yet available for commercial service but expects to complete Phase II during the first quarter of 2003.

DTIS Research regarding AT&T and Comcast customer service

Executive Director Loeven stated that the Commission asked DTIS staff to research Comcast's customer service track record. Brian Wilson, Policy Analyst at DTIS presented the following report:

Comcast is a national company, but asserts that running a cable company is a local business. Their customer service report claims to use a decentralized management approach. Currently they operate 60 customer service call centers across the country for 8.4 million customers or 1 call center for every 140,000 customers with a total of 3,900 customer service representatives. That is 1 representative for every 2,153 customers.

AT&T is the industry's leader in creating consolidated regional call centers, and they serve between 100,000-500,000 customers for each center. The proposed AT&T/Comcast merger will be represented in 41 states and have over 22 million customers. It is likely that further consolidation and centralization of customer service call centers will be done. Both AT&T and Comcast reported to DTIS staff that the merged company will likely adopt AT&T's regional call center policy.

The following statistics come from the American Consumer Satisfaction Index (ASCI):

- Overall 77% of adults were dissatisfied with their cable service;
- The cable industry is the lowest scoring industry;
- The satisfaction with cable and satellite TV industry has declined by 5%, to 61% over the past year;
- The poorest performing companies in this group are: Comcast with 53%, a decline of 13% from the past year; AT&T with 56%, a decline of 10% from the past year.

ASCI reported the following statistics regarding Comcast and AT&T's customer service:

| Customer Service | AT&T | Comcast |
|-----------------------------------------------------------|-----------------|----------------|
| Customers not satisfied with price paid for cable service | 47% | 54% |
| Customers not satisfied with frequent rate increases | 74% | 75% |
| Customers reported difficulty reaching customer service | 31% | 26% |
| Customers do not get value for the price paid for cable | 62% | 63% |

Commissioner Myatt stated that the Comcast's figures parallels AT&T's figures and when the two companies merge, the AT&T model will be adopted. Since AT&T and

Comcast are rated as having the poorest performance in the industry, he asked whether anyone is talking to Comcast regarding the level of service they are providing to the cities. Commissioner Myatt stated it is within the charter of the Telecommunications Commission to find out more from the consumers' perspective what Comcast plans to do to increase its performance.

Deputy Director Brady said that the National Association of Telecommunications Officers and Advisors (NATOA) plans to meet with cable representatives in September 2002 in Chicago to discuss changes to the current Federal Communications Commission's (FCC) rules and regulations governing customer service. Depending on what is the City's action in response to the current merger and renewal, the Commission will have an opportunity during the renewal process to assist.

Acting President Bogen asked whether the issue of customer service with the franchise is within the charter of the Commission. Deputy Director Brady responded yes. Acting President Bogen asked the Director to instruct the Secretary to coordinate a presentation by Comcast at topic of customer service only. Executive Director Loeven affirmed that an invitation will be extended to Comcast to give a presentation on customer service even though Comcast has not been granted a franchise at the present time.

During public testimony, Steve Zelter, Vice Chair of the Producers and Programmers Network of San Francisco, reported on the following issues: Comcast is facing lawsuits for spying on Internet users regarding what web pages people look at; Comcast is also charged with discriminating against labor and unions and the City of Philadelphia passed a resolution demanding that there be no anti-labor activities by Comcast

Mr. Zelter said he was against the approval of Comcast, but should they be approved there should be a proviso that the workers who work for Comcast have a right to go to an automatic card check off or union representation and should not be harassed or fired because of union activities. He does not want to see the people in San Francisco be subjected to further problems with their cable companies since these cable companies make billion of dollars from our fees to them. It is his opinion that people are angry with AT&T and to have a company come in with a worse record than AT&T raises a real question about where the city is going in telecommunications and cable in San Francisco.

Larry Shaw asked whether a competitor of Comcast could be invited to the Commission hearing for the sake of comparison.

Rod Laughridge felt that the when AT&T/Comcast merge, additional resources should be earmarked for more PEG channels.

Linda Crayton, AT&T Broadband, Director of Government Affairs for San Francisco, asked whether the DTIS research looked at Sacramento, one of Comcast's regions in California. Comcast is known for its good customer service and was surprised by the

report presented above by Brian Wilson. She stated that Comcast would be happy to do a presentation on its customer service and how its call center framework is put together. And that AT&T/Comcast is interested in giving additional resources to PEG channels.

Acting President Bogen requested that the comments made by the public be given to Deputy Director Brady to share with the Board of Supervisors, and City Attorney's Office regarding the AT&T/Comcast merger.

Acting President Bogen asked that the Comcast presentation on customer service be arranged and all of the public speakers above be apprised of this event. Acting President Bogen asked Brian Wilson to look into the Sacramento information referred to by Linda Crayton.

Commissioner Myatt requested that reports containing statistics be sent out ahead of time.

5. Deputy Director's Policy Report

Deputy Director Brady in reviewing her report highlight the following two items:

1. Pacific Bell agreed to pay \$27 million dollar fine imposed by the California Public Utilities Commission (CPUC) relating to their failure to disconnect DSL customers promptly;

In 1999, approximately 800 customers complained to the PUC that they continued to receive bills for cancelled DSL service.

Commissioner Myatt asked whether customers were also being charged for a level of service and not just disconnected DSL services. Deputy Director Brady replied that there were a variety of complaints regarding overcharging.

2. The federal-state joint board on universal service recommended no additions to the current list of services eligible for universal service support;

The board did not recommend the addition of advanced services such as broadband and DSL services.

Commissioner Myatt stated that in the report concerning high-speed access to the internet over cable and other facilities, that on July 17 cities filed additional comments in the proceeding, disagreeing with the findings of the FCC. He wanted to know whether San Francisco filed. Deputy Director Brady replied that San Francisco signed on to the NATOA comments, but did not file independently.

6b. Status Report on Public Access Providers Grant Award

Brian Wilson, Policy Analyst at DTIS said that the Review Panel completed its review of

the Community Television Corporation (CTC) grant application and has approved it. The Review Panel recommended that DTIS negotiate with CTC for a new grant to operate Access SF, the public access channel. The Review Panel met with management, board members, and staff and was satisfied with the process the organization conducted in accessing its programming lottery policy. The panel supported the implementation of the process and encouraged the organization to continue to review it for effectiveness in achieving its stated goal of providing channel access to all. The Review Panel has made specific recommendations to the department regarding benchmarks and requirements they felt were necessary in the new grant. DTIS has approved an extension for the existing CTC grant and funding through September 30, 2002 to allow negotiations to take place and the department will report on this matter to the Commission in August specifically regarding the programming policy for Access SF, the public access channel.

Last month Brian Wilson reported the development of programming policy and its implementation by the CTC to manage Access SF. Limited community resources must be made accessible to the broadest possible number of residents, including programming time on public access channel. Both Zane Blaney and Brian Wilson reported that all producers seeking a timeslot submit their series to the lottery process. Available lottery timeslots are held monthly. Producer's name is randomly selected. When the producer's name is selected s/he has a choice of the available timeslots and producers may exchange timeslots among themselves. The producers can use the timeslots for six months to one year depending upon the frequency of the series.

Brian Wilson reported that the Commission asked DTIS for answers to the following questions regarding CTC:

1. Q: How many producers are waiting for timeslots in a given month?

A: There are no producers who are waiting for available timeslots that have not had the opportunity to playback their program. There are an unreported number of producers who might have had a opportunity to playback their program in a nighttime timeslot but have elected not to because they preferred an earlier or a primetime slot.

This explains why there are repeats in the schedules since producers are waiting for playback time during specific programming hours. CTC reported approximately 150 specials or single episode programs, 75 series programs in production that have not yet sought playback time.

2. Q. Why does CTC require staff to time programming instead of requiring the producers to time their own programs?
- A. CTC elected to provide the service in an effort to keep program signal quality consistent, rather than to depend on the information provided by the producers and thereby risking the appearance of snow, static, or blue

screens in between programs.

3. Q. Are workshop schedules available and why are they not posted on CTC's website?

A. The orientation schedule is posted on the website, but because of the overwhelming demand for reservations for orientation and their limited space, the workshop schedules are passed out during orientation.

In conclusion, the department believes that programming on public access channel must reflect the broadest representation of the community. The Review Panel for the grant application concluded that CTC conducted a diligent review of programming policies and practices. The policy as adopted is inclusive and embraces the principles of the first amendment. DTIS may disagree with the process for timing of programs and publishing of workshops, but supports the policy as a starting point for further development of civic and community networking by the CTC in its operation of Access SF, the public access channel.

The following persons spoke during public testimony:

Steve Zeltzer, Vice Chair of the Producers and Programmers Network of San Francisco, stated that his one hour labor show which appeared two nights a month since 1983 was removed from the slot. At the lottery, a producer from Richmond, CA who has a program called "Entertainment Today" took the slot. He pointed out that a local show was replaced by a show not produced in San Francisco.

He stated that his program is on one Saturday evening a month, and the shutting of the station for two days a week which was done without any discussion with the CTC board of directors does not allow him to produce a live show.

He claimed the members of the Producers and Programmers Network of San Francisco made a formal request to Zane Blaney to see the budget and was refused. He believes this is a violation of the Sunshine Ordinance.

He also stated that Zane Blaney and the management are encouraging producers to take the slots of producers who are opposed to the programming change at the station. This action may lead to a discrimination suit against the City and Zane Blaney.

He does not want the grant application to be approved until the following issues are resolved: create an elected Board of directors at CTC, resolve the lottery dispute; and not eliminate locally produced shows.

David Miles, Jr. former member of the CTC board of directors and a producer of "Skatin Place," a show that has been running for nearly eight years. He stated

that the Commission was not getting the true picture of the situation at CTC. It was his opinion that before the CTC management decided upon the new lottery system, they should have had a discussion with the producers. Instead they mailed out a survey to 400 people regarding the new lottery system, and 39 people responded. Mr. Miles, Jr. stated that CTC is run by one person, Mr. Zane Blaney who picks the members of the board of directors and sets the rules.

Larry Shaw a San Francisco cable subscriber said that the channel he most valued is Channel 29, a limited community resource. He is concerned about the stated disputes. Mr. Shaw believes that as a community resource, the community would have more control with an elected board of directors. Although the lottery program would give everyone access, he does not believe there is a need for that. He urged the Commission to look into the lottery system.

David Grace, the producer of "Money Talks," stated that although he has not been treated badly, he has seen roadblocks thrown at other producers. He said there is a real flaw in the management process at CTC. He felt that a lottery system was not needed. It was his opinion that it is important to get more programs on the air before instituting a lottery system.

Carl Bryant stated that the studio was not opened for live shows. He suggested that volunteers be allowed to participate in operating the station.

He would also like the Commission to look into the finances of CTC.

Tami Kallen, a volunteer at CTC would like to see an elected board of directors. She would like the volunteers' work schedule posted so she can make other plans. She stated that having one month to advertise a new timeslot is not enough because viewers cannot find the show. Before the lottery was instituted, there was no research done and the participants at the studio were not consulted. She felt seniority should be respected because these people paid their dues and showed their dedication. She also questioned the finances of the station.

Rod Laughridge emphasized the need for an elected board of directors, and lack of consultation prior to instituting the lottery system. He does not like to see the animosity that exists on Channel 29 amongst the producers, CTC staff, and the board of directors. He would like to see the board be held accountable for their decisions and the public and producers should be included in the decision making.

Commissioner Myatt stated that since he has been on the Commission there has been no progress in terms of any resolution. He is frustrated because he does not know what is fact versus fiction because there are conflicts in the information the Commission is receiving. For example, Executive Director Blaney stated at a previous meeting that there is a capacity issue; 350 people had to be turned away since January 2002.

Therefore, a lottery system was necessary so people can have access equally, yet there are shows that are aired which are produced outside of San Francisco. Commissioner Myatt wants to know why these shows are put there on an equal basis with the shows produced in San Francisco. He also wants to know how the capacity issue is being addressed and what is been done with the second channel.

Commissioner Rouan has spent a number of hours at CTC and teleconferences, and wonders whether there is more than one side to these issues. He asked the producers in the audience who are members of the Producers and Programmers Network of San Francisco whether they have a forum he could attend. Having visited the CTC building, he knows that the facility is small, and postings are done at homes or elsewhere.

Carl Bryant, Secretary/Treasurer of Producers and Programmers Network of San Francisco (PPN) stated that they meet monthly at Tommy's Jyoint, 2nd floor in the back. The next meeting of the PPN members is on August 15, 2002 at 7:00p.m.

Acting President Bogen was glad there was an opportunity for Commissioner Rouan to attend a meeting with the Producers and Producers Network of San Francisco. This is particularly fortuitous since Mr. Wilson is about to engage in negotiations with CTC. Acting President Bogen assured the people who spoke during various public testimonies that the Commission heard their concerns and will work with the department regarding: finances, use of volunteers, lack of an elected board, and the lottery. Commissioner Rouan said he will deliver his findings to the Review Panel and Mr. Wilson after his meeting with PPN on August 15, 2002.

Mr. Zeltzer Vice Chair of the Producers and Programmers Network of San Francisco, asked that priorities be given to locally produced shows.

7. Calendar Matter

The next meeting of the Telecommunications Commission is a regular meeting to be held on August 26, 2002, City Hall, Room 400, 5:30 p.m.

Attached is the Telecommunications Commission "Pending Topics List.

Public testimony – none.

8. General Public Testimony

Mr. David Miles Jr. stated that he is encourage by what he heard tonight.

9. Adjournment

Acting President Bogen adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, August 26, 2002, 5:30 PM

DOCUMENTS DEPT.

City Hall

AUG 23 2002

1 Dr. Carlton B. Goodlett Place, Room 400

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

There is one action item on this agenda.

All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner Sunil Daluvoy
Commissioner J. Michael Myatt
Commissioner Michael Rouan

08-23-02P12:00 RCVD

2) APPROVAL OF THE MINUTES, July 22, 2002 Regular Meeting ACTION ITEM
(Commissioners will vote to adopt the minutes. The handout associated with this item is
the Minutes from the June 24, 2002 special meeting.)

- Adoption of the Minutes – July 22, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this
agenda.

- Public Testimony

- Commissioners' Comments

4) DIRECTOR'S REPORT ON THE FOLLOWING MATTERS (Lewis Loeven): **FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Executive Director):

- **Telecommunications Plan Update**
- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT **FOR DISCUSSION ONLY**

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

a) Comcast Presentation on Customer Service **FOR DISCUSSION ONLY**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS **FOR DISCUSSION ONLY**

(There is a handout associated with these items.)

- The next regular meeting date of the Telecommunications Commission is on September 23, 2002

- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY **FOR DISCUSSION ONLY**

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the August 26, 2002 Commission meeting.
2. Draft minutes for the July 22, 2002 regular meeting.
3. Deputy Director's report.
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

July 22, 2002 – August 6, 2002

1. Letter received from S.F. Living Wage Coalition supporting the instituting of a board elected by subscribing members, and dissatisfaction with the new lottery system in place at Community Television Corporation.
2. E-mail received from a member of NorthPoint shareholder's group regarding NorthPoint Communication's lawsuit against Verizon.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

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Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

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Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

DRAFT

MINUTES

Monday, August 26, 2002

CITY HALL

**ROOM 400
5:30 P.M.**

COMMISSIONERS

**Kim Bogen, Acting President
Sunil V. Daluvoy
J. Michael Myatt
Michael Rouan**

DOCUMENTS DEPT.

SEP 19 2002

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PUBLIC LIBRARY**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. Call to Order and Roll Call

The meeting was called to order by Acting Chair Myatt at 5:30P.M. and roll was called by the Commission Secretary.

Present: Acting Chair J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Michael Rouan

Absent: Acting President Kim Bogen

2. Approval of the July 22, 2002 Minutes

The approval of the minutes of July 22, 2002 was postponed until the September 23, 2002 meeting because there was no quorum. Only two of the three Commissioners who were present had attended the July 22, 2002 meeting.

Acting Chair Myatt introduced Sunil V. Daluvoy, the new Commissioner appointed by the Mayor. Mr. Daluvoy is a senior consultant with Analysys Group. Based in the U.K, Analysys provides strategic consulting and research services for communications and new media clients worldwide. Prior to Analysys, Mr. Daluvoy spent two years at Excite@Home as senior manager of Corporate and Business Development. Working closely with the Chief Technology Officer and engineering teams, Mr. Daluvoy crafted network infrastructure transactions with cable companies, carriers, and Internet Service Providers. Before joining Excite@Home, Mr. Daluvoy spent three years at the Federal Communications Commission (FCC). His responsibilities at the FCC included: analyzing competitive impact of cable mergers; reviewing open access proposals; and formulating policies to promote the deployment of broadband networks. Prior to the FCC, Mr. Daluvoy was a Special Assistant United States Attorney for the U.S. Attorney's Office for the Southern District of CA.

Mr. Daluvoy holds a B.S. from Northwestern University and a J.D. from the University of San Diego. He is admitted to the District of Columbia and California bars.

Commissioner Daluvoy said he was honored to serve the Commission and the City and County of San Francisco. He looked forward to working with his fellow Commissioners, City Departments, and the Department of Telecommunications and Information Services (DTIS).

3. Communications

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Commissioners' comments – none.

4. Director's Report

Executive Director Loeven welcomed Commissioner Daluvoy and congratulated Acting Chair Myatt for his reappointment to the Telecommunications Commission.

Telecommunications Plan Update

The Telecommunications Plan, adopted by the Board of Supervisors and approved by the Mayor, was developed to create solutions for the City's information technology and telecommunications needs. Projects include the Service, Telephony Billing and Asset Management Project (STAMP) and Enterprise E-mail.

a. STAMP

The three modules of this project are: ServiceCenter, TeleCenter, and AssetCenter. The ServiceCenter of the Project provides online service requests, and trouble ticket management for the City. The TeleCenter of the Project provides a billing system that collects data from the PBXs and service providers, allowing timely on-line billing services. The AssetCenter of the Project allows DTIS to constantly track changes in City owned telephony assets.

The data collection of this Project concludes this week with system testing beginning on August 28, 2002. The STAMP Project will allow the City to better manage its telephony resources and allow DTIS to improve its customer service to the client departments, especially billing services.

b. Enterprise E-mail

This project converts all disparate e-mail systems into a single e-mail system. In Fall 2001, DTIS embarked on a program to convert approximately 15,000 Lotus Notes e-mail users. Currently 8,500 e-mail users have been converted. This project will benefit the City by centralizing locations, maintenance, upgrades, and backup abilities. It will also give uniform inter-departmental calendaring and resource scheduling.

Executive Director Loeven announced that Dan Sullivan, Executive Director of Emergency Communications Department (ECD), has replaced Thera Bradshaw.

Commissioner Myatt asked about the technology in relation to the Telecommunications Plan. Executive Director Loeven stated that it would be beneficial to review the technologies that are offered to the City. He will invite members of the wireless industry to talk about some of the products and services they might deliver to benefit the City, and about the obstacles to delivery. The Commission Secretary has been coordinating

with the wireless providers to do a presentation at the September 23, 2002 meeting.

Commission Myatt stated these two projects are consistent with the Telecommunications Plan, to cut costs and improve performance, and to consolidate the e-mail system. He asked how many e-mail systems now exist in the City. Executive Director Loeven replied that there was a number of e-mail systems, but the most prevalent was cc:Mail.

Commissioner Daluvoy asked about the procurement process and how the vendors are informed of the City's priorities. Executive Director Loeven stated that client departments come to DTIS with work orders, and DTIS evaluates the projects with the client and goes through RFI and RFP processes. Some small purchases with pre-approved contracts go through the HRC process.

5. Deputy Director's Policy Report

Since Deputy Director Brady was unable to attend, Heidi Sieck, DTIS Policy Analyst presented her report.

Rights-of-way activity

- Deputy Director Brady has been addressing some national advocacy issues;
- Current activity in the state legislature preempted local control of rights-of-way – a subject under the advisement of the Commission;
- The National Association of Regulatory Utility Commissioners (NARUC) and the National Conference of Legislatures have considered resolutions supporting statewide rights-of-way management;
- National Association of Telecommunications Officers and Advisors (NATOA) have considered resolutions supporting statewide rights-of-way management;
- Through NATOA, Deputy Director Brady has succeed in defeating or limiting the resolutions;
- Local jurisdictions worry about activity at the national level;
- California already has statewide preemption – 7901 or PU Code;
- San Francisco can only impose regulations based on time, place, and manner.

Commissioner Daluvoy asked whether the new access rules adopted by the California Public Utilities Commission (CPUC) apply to commercial buildings, residential buildings, or both; and whether the City works with the CPUC in the implementation of those rules. Heidi Sieck replied that the rules apply to telecommunications providers, landlords, and owners of multi-building units and commercial real estate. She added that DTIS has been involved in the past with rule making but not in this instance. Since DTIS also manages property, it is attentive to the rules.

6. New Business

6a. Comcast Presentation on Customer Service

Executive Director Loeven stated that at a previous meeting about the AT&T and Comcast merger, Mr. Wilson, DTIS Policy Analyst, read a report regarding the customer service performance by AT&T and by Comcast. It was decided at that meeting that Comcast, as a new cable provider, should be invited to give a presentation on their customer service programs.

Commissioner Myatt thanked the Comcast representatives, Bret Perkins and the other participants, for coming to the Telecommunications Commission meeting from Philadelphia, PA.

Bret Perkins, Director of Government Affairs, Comcast, introduced two other representatives from Comcast: Sheila Williard, Senior Vice President for Government Affairs, and Tina Waters, Vice President of National Customer Service. He stated that the shareholders of AT&T Broadband and Comcast recently approved the merger of the two companies. Before the merger can close, the Department of Justice and the Federal Communications Commission (FCC) need to approve. Prior to approval, the two companies are limited in the interaction they can have. Thus it is difficult to talk specifically about post-merger operations. But Bret Perkins found it valuable to talk to municipalities about their operational philosophy, stating that Comcast's past record is the best indicator of how things will operate in the future.

When the merger is completed, AT&T/Comcast will be managed by Brian Roberts, CEO, Comcast Corp. Mr. Roberts will be responsible for selecting the senior management of the organization. Steve Berk, President of Comcast cable will be the President of AT&T/Comcast. He will be responsible for selecting the regional presidents. Joe Fisher, a Comcast employee from the Eastern Division with over a decade of experience will be responsible for all of California.

Tina Water, Vice President, National Customer Service gave the following PowerPoint presentation:

Comcast Cable Communications, Inc.

Customer Service Presentation to the City of San Francisco, Telecommunications Commission, August 26, 2002

Presentation objectives:

- Comcast Operating Philosophy
- Specific Pre and Post Acquisition Examples
- On-going Initiatives

Decentralized Operations: Our Focus is Local

- Call Centers are greater in number and smaller in size than those of other cable

- operators.
- Comcast presently maintains over 60 Call Center facilities across the country, managed by a local or regional team.
- Very little of our cable call handling is outsourced.

Call Center Performance

- Focus on understanding the business from a customer perspective.

Tina Waters explained that this year Comcast did not purchase the American Customer Satisfaction Index (ACSI) survey. She was particularly interested in reading the ACSI survey in the Telecommunications Commission minutes of July 22, 2002. She said that ACSI is a representation of overall customer satisfaction with cable or with satellite. ACSI asks customers a number of questions, and the answers are fed into a proprietary model that the University of Michigan uses to tabulate the overall satisfaction. It was very untimely that the ACSI surveys occurred during the transitional period when one million customers from the Excite@Home network were transferred to Comcast's internal network. Comcast recognizes that this caused problems with their customers and realizes that when these surveys were taken some issues affected their overall scores. ACSI focused on many issues including customer service, but primarily price and reliability of service.

Since Comcast focuses on the customers' experiences, Tina Waters was distressed by the present performance as compared to the previous year. She led a team that interviewed over 10,000 customers a year; every week they sent samples to a third party who interviewed the customers to find out how they rated Comcast customer service. Consistently those customers gave Comcast Customer Account Executives high marks on their performance. Tina Waters stated that when ACSI took a snapshot of their performance, their customers said that they were doing a good job.

- All systems – both existing and newly acquired – are assessed to see how well customer service standards and goals are being met, and what can be done to improve Call Center operations.
- The experience of some of our newly acquired systems illustrates well what we can do to improve performance in a relatively short time.

Customer Service Performance: *Pre- and Post- Acquisition Date*

- Washington, D.C. (Acquired January 2001)
 - Improved service Levels for calls answered within 30 seconds from 68% to 92%.
 - Decreased abandoned call percentage from 20% to 5%.
 - Increased Call Center Staff from 55 to 108 Customer Account Executives (CAEs).
 - Increased minimum pay by 7.3% and introduced an upgraded commissions plan.

- Upgraded Call Center Technology.

Customer Service Performance: *Pre- and Post Acquisition Date*

- Plymouth, Michigan (Acquired January 2001)
 - Maintained service levels at approximately 90% even as we completed a system upgrade, a billing conversion, and the conversion to Comcast High-Speed Internet service.
 - Eliminated the need for an answering service as a result of increased CAE availability.
 - Reduced service call percentage from 6.5% to 2.8%.
 - Reduced new-install call ration from 15% to under 5%.
 - Reduced average outage-duration time from 2.5 hours to less than 1.5 hours.

Customer Service Performance: *Pre- and Post Acquisition Date*

- Prince George's Count, MD (Acquired April 1999)
 - Improved service levels from single digits to 90% range
 - Increased customer service employees from 95 to 203.
 - Instituted CAE development program to improved training of Call Center personnel.
 - Reduced days out for service calls from 7-day wait to next-day availability.
 - Launched Comtec Program.

Call Center Assessment: *Maintaining Accountability*

- Key performance indicators are monitored on an ongoing basis, and are tracked and tabulated by the local market and division.
- A high-level assessment of Call Center operations is conducted regularly, and involves a comprehensive top-to-bottom review of all aspects of a center's performance. Areas of assessment include:
 - Strategic Planning
 - People
 - Technology and Support Systems
 - Business Processes

Customer Service Initiatives

- Comcast's ongoing goal is to provide customers with a level of service that is particularly responsive to their needs and interests.
- We have developed a number of initiatives intended to address some specific customer concerns:
 - Comcast Web Site Enhancement
 - Volume Reduction Initiative
 - Installation Process Redesign

During Public Testimony, Steve Zeltzer, Vice Chair of the Producers and Programmers Network of San Francisco (PPN) asked for clarification on the following issues:

1. He questioned Tina Waters' statement that the response to customer service complaints was caused by the transfer of Excite@Home to the Comcast networks. He asked that the Commissioners request the original documents regarding these calls and complaints.
2. He thought it would be useful to request Comcast to surrender all complaints about unfair labor practices and discrimination based on race or sexual orientation.
3. He thought it would be useful to know Comcast's position regarding spying on the web pages of subscribers to Internet service.
4. He inquired whether Comcast limits use of their cable system to those channels in which they have an economic interest. He claimed that AT&T is not interested in having the Sundance channel in San Francisco because AT&T owns none of it.

Bret Perkins stated that Comcast will send a written response to these questions to the Commission Secretary.

Commissioner Rouan wanted clarity on the random sample from 10,000 customers that Tina Waters reported on. Tina Waters replied that these were customers who called into the Call Center, and were then referred weekly to a third party to be interviewed by telephone.

Commissioner Daluvoy asked what systems were acquired in Washington, D.C., Plymouth, Michigan, and Prince George's County, MD. Bert Perkins replied that the systems that were acquired in 2001 were part of the exchanges between Comcast and AT&T in Washington, D.C. He was uncertain about the other franchises but could supply a list of those that were acquired during the exchanges. Commissioner Daluvoy said this could be a reference point for potential service improvements that the City could look to if the AT&T/Comcast merger is approved.

Commissioner Daluvoy stated that Comcast has impressive operating margins. He asked whether Comcast spent more money on processes and technology for their customer service, and whether these results include both cable television and cable data service, and whether the numbers are aggregates of both. Tina Waters replied that the results were for customer service support for cable television. And that regarding customer service specifically, Comcast has effective people for negotiating contracts for new technology. And that the combination of technology, process, and customer satisfaction enables them to get the good operating margins. Bret Perkins stated Comcast gets results because it is a decentralized company wherein the presidents of the various divisions run their divisions like businesses. Decisions are made locally.

Commission Daluvoy asked whether Comcast provides reporting and monitoring technologies to the Cities comparable to what they have promised in their franchises. Tina Waters replied yes.

Commissioners Rouan asked whether Comcast used the same criteria to assess the service level in pre- and post- Prince George County, MD. Tina Waters answered that their service levels are taken from telephone switch data, which is then sent to the third party research vendor which then interviews the customers. She did not know what the customer satisfaction level was prior to the acquisition, but did know the service level. Bert Perkins explained that they get quantitative information off the switch, and qualitative information from the random sample about the customer experience.

Commissioner Myatt stated that one of the charters of the Telecommunications Commission is customer service. He referred to the Telecommunications Commission minutes of July 22, 2002 which stated that the January/February 2002 ASCI survey (made after the acquisitions of Prince George's County, MD in 1999 and Washington, D.C. in 2001) rated Comcast as the poorest performing company in the survey. And that both AT&T and Comcast reported to DTIS staff that the merged company will likely adopt AT&T's regional call center policy. Tina Waters replied that apparently Joe Fisher, long term Comcast leader, is taking over this particular area, indicating to her the intention to use the Comcast model. And that regarding the ASCI survey, Comcast customers were experiencing a transition which affected their responses.

Commissioner Rouan asked what percentage of customers were moved from [Excite@Home](#) into the customer base of Comcast. Tina Waters responded 100%. Bret Perkins explained that the move took six weeks. Commissioner Rouan asked what percentage of the total Comcast database was composed of [Excite@Home](#) customers. Tina Waters replied, one million customers in a total customer base of 8.4 million. If the new company is approved the customer base will be 22 million.

Commissioner Daluvoy asked whether the Comcast presentation was about cable television service, whereas the ACSI survey was addressing the transition of cable data customers. Tina Waters said that the ACSI survey included both cable television customers and high speed internet customers. She stated that they report separately on cable television customers satisfaction and on high speed internet service. In both these reports, which were written during the ACSI survey, the customers gave Comcast Account Executives and technicians who handle high speed internet service calls very high marks.

7. Calendar Matter

The next meeting of the Telecommunications Commission is a regular meeting to be held on September 23, 2002, City Hall, Room 400, 5:30 p.m.

Attached is the Telecommunications Commission "Pending Topics" list.

Public testimony – none.

8. General Public Testimony

Steve Zeltzer, Vice Chair of the Producers and Programmers Network of San Francisco (PPN) thanked the Telecommunications Commission for the minutes posted on the web site and would like to see Community Television Corporation (CTC) post their minutes on their web site as well. He stated that tonight the staff at CTC is conducting the monthly lottery about who is going to be on the channel. The PPN deplores spending money to conduct a lottery while the station does not allow the production of programs three nights a week. PPN is also concerned about the management of the station.

He thanked Commissioner Rouan for joining them at their meeting and would like to see collaboration between the Commissioners and CTC.

9. Adjournment

Acting Chair Myatt adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, September 23, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There are three action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

DOCUMENTS DEPT.

Acting-President Kim Bogen
Commissioner Sunil Daluvoy
Commissioner J. Michael Myatt
Commissioner Michael Rouan

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2) APPROVAL OF THE MINUTES

a. July 22, 2002 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the July 22, 2002 special meeting.)

- Adoption of the Minutes – July 22, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

b. August 26, 2002 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the August 26, 2002 special meeting.)

- Adoption of the Minutes – August 26, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S MATTERS (Lewis Loeven):

(The following will be discussed or updated by the Executive Director):

- **Creation of Public Safety Support Division**
- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) OLD BUSINESS

a) Community Television Corporation (CTC)

ACTION ITEM

Grant Award Resolution 02-027

(The handout associated with this item is the full text of Resolution 02-027.)

ADVISING THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES (DTIS) TO: 1) AWARD A GRANT AGREEMENT THE MANAGEMENT AND OPERATION OF THE CITY'S PUBLIC ACCESS CHANNEL AND FACILITY, "ACCESS SAN FRANCISCO", TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC), AND 2) REQUEST THAT THE BOARD OF SUPERVISORS DESIGNATE THE SFCTC AS THE MANAGEMENT AND OPERATOR OF THE CITY'S PUBLIC ACCESS CHANNEL

AND FACILITY, "ACCESS SAN FRANCISCO", FOR THE TERM OF THE GRANT AGREEMENT, ENDING JUNE 30, 2005.

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The next regular meeting date of the Telecommunications Commission is on October 28, 2002
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
 - Public Testimony
 - Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the September 23, 2002 Commission meeting.
2. Draft minutes for the July 22, 2002 regular meeting.
3. Draft minutes for the August 26, 2002 regular meeting
4. Deputy Director's report.
5. Community Television Corporation (CTC) Grant Award Resolution.
6. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC **August 26, 2002 – September 11, 2002**

1. E-mail received from an angry AT&T cable customer who claims that they never received the notification informing them of the upgrade in their neighborhood; they would like credit for the disrupted service.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

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FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

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Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

DRAFT

MINUTES
September 23, 2002

CITY HALL

**ROOM 400
5:30 P.M.**

COMMISSIONERS

**Kim Bogen, Acting President
Sunil V. Daluvoy
J. Michael Myatt
Michael Rouan**

DOCUMENTS DEPT.

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Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. Call to Order and Roll Call

The meeting was called to order by Acting President Bogen at 5:30 p.m. and roll was called by the Commission Secretary.

Present: Acting President Kim Bogen
Commissioner Sunil V. Daluvoy
Commissioner J. Michael Myatt
Commissioner Michael Rouan

2. Approval of the July 22, 2002 Minutes

Commissioner Myatt made a motion, seconded by Commissioner Rouan, to approve the minutes of July 22, 2002. The Commission moved to adopt the minutes with four ayes [Bogen, Daluvoy, Myatt, Rouan], none opposed.

2b. Approval of the August 26, 2002 Minutes

Commissioner Myatt made a motion, seconded by Commissioner Bogen, to approve the minutes of August 26, 2002 as amended, page 3, second sentence under b. Enterprise E-Mail should read as follows:

In Fall 2001, DTIS embarked on a program to convert approximately 15,000 e-mail users to Lotus Notes.

Commissioner Myatt asked whether Comcast has responded to the questions asked by a member of the public during public testimony of the August 26, 2002 meeting. The Commission Secretary replied that Bret Perkins, Comcast, sent an e-mail stating that a response is forthcoming.

3. Communications

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public Testimony – none.
Commissioners' comments – none.

4. Director's Report

Executive Director Loeven informed the Commissioners that the Department of Telecommunications and Information Services (DTIS) will consolidate all of the units involved with public safety issues into a new Public Safety Division that will report directly to the Executive Director. The intent is to create a high degree of accountability to the customer.

The CityWatch staff was at City Hall very early in the morning to broadcast the Day of Remembrance to commemorate September 11, 2001. In addition, the Board of Supervisors (BOS) commended DTIS for CityWatch's recent broadcast activities. The BOS also recognized CityWatch's name change to SFGTV.

Public Testimony – none.

In reference to Executive Director Loeven's report on public safety, Commissioner Daluvoy asked whether the City's communications effort is to ensure its proper functioning during the time of crisis or to ensure that the citizens of San Francisco's communications service will continue to function during an emergency. Executive Director Loeven replied that it is to ensure the proper functioning of the City's public safety systems during a time of crisis.

Executive Director Loeven added that the California Carriers Association asked that the wireless operators presentation -- which was scheduled for August 26, 2002 -- be postponed until the October 28, 2002 Telecommunications Commission meeting.

5. Deputy Director's Policy Report

Deputy Director Brady commented on the following recent developments:

- Deputy Director Brady, some members of her staff, and Commissioner Daluvoy attended the National Association of Telecommunications Advisors Officers and Advisors (NATOA) in Chicago last week.
- A resolution was presented by the Mayor's office last week to the Rules and Audits Committee regarding the approval of Elizabeth Inadomi as a member the Telecommunications Commission.
- On September 19, 2002, the California Public Utilities Commission (PUC) granted support for SBC's (PacBell) application to the Federal Communications Commission (FCC) for long distance authority in California.
- On September 20, 2002, SBC filed its formal application to the FCC under Section 271 of the Telecommunications Act of 1996. More details will be provided in next month's Deputy Director's report.
- Last week, the Ninth Circuit struck down the District Court decision – upholding Santa Cruz denial of the cable franchise transfer to Charter.
- The Ninth Circuit decision also rendered moot all the lower court decisions because it ruled in favor of the local franchising authority.
- On behalf of a number of associations and cities in the Ninth Circuit, San Francisco filed an *amicus* brief on September 4, 2001 in support of local government and

presented arguments before the court.

Commissioner Myatt commented that 411 calls could cost as much as \$1.35 per call, as stated in the Deputy Director's report entitled, "Pacific Bell Requests Deregulation of 411 Rates." He asked whether anyone is tracking the correlation between the use of 411 and the overload problem on 911. He posited that people might call 311 or 911 rather than pay \$1.25 for a 411 information call. People may be calling 911 because they do not know where else to go; and 311, as previously discussed at the Telecommunications Commission meeting, would be dedicated to non-emergency inquiries. Deputy Director Brady stated that 311 was the proposed solution to provide relief to the 911 system but due to this year's budget problems, 311 will not be funded.

Commissioner Myatt stated that the rollout of Phase 2 for the wireless providers was scheduled for November 1, 2002, as discussed in the July Commission meeting. The Deputy Director's report stated that the wireless providers would experience potential delays in required rollout of Phase 2 service currently mandated by December 31, 2002. Executive Director Loeven responded that the November deadline was set by the Telecommunications Commission and the December 31 deadline was set by the FCC. He said the correspondence received from the wireless carriers indicated they could be ready by November 1, 2002 but are hindered by possible technical problems. Acting President Bogen asked that the wireless providers address the E-911 rollout of Phase 2 in their presentation at the October 28, 2002 Telecommunications Commission meeting.

Commissioner Myatt asked for comments about the Deputy Director's report on the "national discussion of the regulation of rights-of-way (ROW)." Deputy Director Brady commented that the local rights-of-way regulation has been a prominent discussion point in many venues across the country. Many companies alleged that local governments are hindering broadband deployment by imposing onerous ROW regulations.

He asked whether this is a problem for San Francisco. Deputy Director Brady replied that it is not a problem because the density of San Francisco has led to some of the most exaggerated conditions or obstacles for managing ROW. For example, in 2001, more than 5000 permits were issued for public street excavation. If every permit request was granted, and every installation was constructed, the total linear footage of excavation would be 42% less than that requested. This is because San Francisco has the most aggressive regulations, and has the most successful management and facilitation entry for telecommunications companies. The comprehensive and integrated ROW system is managed by the Department of Public Works which is held up as a model in the United States.

Commissioner Daluvoy asked about the impact of AB 468 on the State-owned property within San Francisco. Deputy Director will address this issue at the next Commission meeting.

6. New Business

a) Community Television Corporation (CTC) Grant Award Resolution 02-027

Acting President Bogen asked that this matter proceed as follows: the Commission Secretary will read the resolution, Brian Wilson, DTIS Policy Analyst, will give a presentation, Zane Blaney, Executive Director of CTC will give his remarks, statements will be taken from those members of the public who approve the granting of the award to CTC, and then statements will be taken from those who disapprove the granting of the award.

The Commission Secretary read the following resolution:

**DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
TELECOMMUNICATIONS COMMISSION
RESOLUTION NO. 02-027**

ADVISING THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES (DTIS) TO: 1) AWARD A GRANT AGREEMENT FOR THE MANAGEMENT AND OPERATION OF THE CITY'S PUBLIC ACCESS CHANNEL AND FACILITY, "ACCESS SAN FRANCISCO", TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC), AND 2) REQUEST THAT THE BOARD OF SUPERVISORS DESIGNATE THE SFCTC AS THE MANAGEMENT AND OPERATOR OF THE CITY'S PUBLIC ACCESS CHANNEL AND FACILITY, "ACCESS SAN FRANCISCO", FOR THE TERM OF THE GRANT AGREEMENT, ENDING JUNE 30, 2005.

WHEREAS, the SFCTC's initial Grant Agreement for the management and operation of the City's Public Access channel and facility expired on June 30, 2002; and

WHEREAS, DTIS extended the term of the initial Grant Agreement to September 30, 2002, to permit additional time for negotiation of a new grant agreement; and

WHEREAS, under San Francisco Administrative Code Section 11.88, the Telecommunications Commission has authority to adopt rules and procedures governing the use and operation of the cable television public access channel; and

WHEREAS, consistent with that authority, on November 1, 2001, the Telecommunications Commission asked DTIS to conduct a public and competitive application process for the award of a new grant for the management and operation of the City's public access channel and facility; and

WHEREAS, DTIS administered a public and competitive application process, on behalf of the Telecommunications Commission, for the award of a new grant for the management and operation of the City's public access channel and facility by issuing a Request for Grant Applications in February 2002; and

WHEREAS, in response to DTIS's Request for Grant Applications, the SFCTC submitted an application on March 29, 2002; and

WHEREAS, the Request for Grant Applications review panel (Review Panel), examined and reviewed the SFCTC's application and interviewed the SFCTC and found the grant applicant to be compliant with the minimum requirements of the Request for Grant Applications; and

WHEREAS, the Review Panel recommended that DTIS negotiate the new public access grant agreement with the SFCTC; and

WHEREAS, during the negotiation process, the Review Panel, the Telecommunications Commission and DTIS accepted and considered public comment regarding the deliverables in the scope of services in the new grant agreement; and

WHEREAS, DTIS and the SFCTC have completed negotiations to the Telecommunications Commission's satisfaction, and have reached agreement as to the terms and scope of work required under the new grant agreement for the management and operation of the City's public access channel and facility, "Access San Francisco", for a term of three years, ending June 30, 2005; now, therefore, be it

RESOLVED, that the Telecommunications Commission advises DTIS to: 1) award a grant agreement for the management and operation of the City's public access channel and facility, "Access San Francisco", to the SFCTC, and 2) request that the Board of Supervisors designate the SFCTC to manage and operate the City's Public Access channel and facility, "Access San Francisco", for the term of the grant agreement, ending June 30, 2005.

Brian Wilson, DTIS Policy Analyst discussed the following testimonies that were presented to the Commission by the public, and gave a PowerPoint presentation (attached hereto) regarding the public access grant.

1. Programming of cable-cast time, also known as the "lottery."

Public access corporations in densely populated method or large communities use the lottery to allocate limited program time to any resident who wishes to be a producer within that jurisdiction. DTIS reviewed the process by which CTC developed and adopted its programming policy, reviewed the same cities that CTC looked at, and reviewed the policies of the Alliance for Community Media. DTIS found that the CTC has done extensive research and has an open public process wherein public comment is invited regarding the process before a policy is adopted.

2. Locally produced programming versus non-locally produced programming, and First Amendment rights.

The choosing of locally produced programming in preference to non-locally produced programming is a First Amendment issue. Any resident of San Francisco who has the cable-cast rights to a tape and can sign off as the producer-of-record can exercise First Amendment rights by requesting that the tape be put on a channel at a public access facility.

3. Nomination and representation on the Board of Directors for the CTC, and City policy regarding non-profit boards.

City ordinance requires any non-profit organization that receives funding from the City and County of San Francisco to have "member representation" on its Board of Directors, to publicly announce board vacancies, and to publicize the process by which members may apply for a seat on the Board.

4. Hours of operation and allocation of staff time.

CTC has agreed to review its five-day schedule and propose appropriate changes to expand the hours of operations and staff deployment. The plans will be presented to the Commission by early 2003.

5. Interns and volunteers.

CTC is implementing an internship program and creating opportunities for volunteers to work with staff in the operations of the facility.

Commissioner Daluvoy asked whether there is any recourse if the requirements of the three-year grant are not met. Wilson replied that the requirements include regular monthly and quarterly reporting by CTC to DTIS. The annual review will be an opportunity for DTIS to evaluate CTC past performance, and to estimate the performance for the year ahead, considering changes in the budget.

The following persons spoke during public testimonies:

- Zane Blaney, Executive Director of CTC, thanked the DTIS staff, the CTC Board of Directors and staff, and the producers for helping to prepare the grant. He urged the Commissioners to forward the resolution to the Board of Supervisors.

Public testimonies in favor of resolution 02-027:

- John Presmont, who came to San Francisco in 1967, is a retired hippie, a WWII veteran, and a founder of Kerista. When he attended the lottery meeting he was surprised to find people picketing outside. His current program has been on for nine years. He had no objections to giving up his Monday night slot for another timeslot. He left hard copies and a video about his program with the Commission Secretary for the Commissioners.

- Jeremy Saxon stated that CTC is a wonderful resource and makes available tools of creative expression to a constituency that would otherwise not have them available.
- Previous to 9/11 John Sanchez was producing videos about San Francisco and the Bay Area. After 9/11 he shifted his focus to community programming about San Francisco. He attended the first lottery and within one and a half weeks he had his own show on TV. He believes CTC is a great resource and was surprised that so many people were upset with a system he thought was very fair. His timeslot was after midnight, but he was very happy with it.
- Dean Voyeur, a full-time college student and a teaching assistant at the film department at City College, is the producer of "Training Talk," about transsexuals, which has been on the air for three years. He attributes the success of the show directly to SFCTC.
- Vincent Francis, San Francisco Chapter of "Bikers for Christ," an outreach ministry, stated that SFCTC has been very helpful ever since he started as a producer two years ago. He stated that the lottery is good for someone like him who has been around for only a short time to have a chance of getting a decent timeslot, and that it is encouraging for new producers. He appreciates everything that CTC is doing and feels the facility is run very efficiently with a knowledgeable staff and good equipment.
- Maggie Rivera, a six-year producer of "Hot Talk for Teens" has had the same timeslot for three years. She stated the staff is great and very fair. CTC has allowed her to bring young people from Bayview Hunters Point into a positive environment, and allowed her to pursue her dream of becoming a producer by using the resources at the facility, which she could not otherwise afford.
- Kirk Mustard, who has had a show for two years, stated that the staff at Channel 29 are knowledgeable and helpful. Even though he got the last number in the lottery, he said he was satisfied, the system is fair, and appears to work well.
- Ian Jensen, an Information Technology professional in the financial district, stated that for a non-profit organization CTC is incredibly efficient. He noted that the staff was meticulous, approachable, friendly, familiar with the equipment, and well trained. He appreciates the availability of such an essential resource for the residents of San Francisco, without which they would not be able to express their points of view. The lottery is a good solution because having timeslots held for five to ten years might discourage new people from producing shows.
- Kevin Coffey, producer of "Cartoonland Presents," stated that the CTC staff is very helpful and friendly, the facility outstanding, and the picture and sound quality fantastic. He said that the lottery is okay. He inquired about the three channels available to the public access producer, and suggested that perhaps one channel could be used to put on programs that have shown over several years.

Public Testimonies Against Resolution 02-027:

- David Miles Jr., President of California Outdoor Rollerskating Association and former member of the CTC Board of Directors, who also served on the Program Committee, stated that the channel does not operate in accordance with CTC by-laws.
- Carl Bryant producer of "Letter Carriers Today" expressed support for the staff at CTC, but said that the administration and the lottery system do not work well. He surmised that ever since the Producers and Programmers Network of San Francisco (PPN) challenged the operations of CTC, there has been an ongoing effort to remove some of their shows from the channel. Although he has had no problem with the lottery system and his show has remained in the same timeslot, he opposes the lottery system. The San Francisco Labor Council, AFL-CIO, and the Pastors and Ministers Conference of San Francisco and Adjacent Cities, Inc. passed a resolution in favor of an elected Board of Directors and opposed the implementation of the lottery system. He thanked Commissioner Rouan for attending a meeting with the PPN. He asked the Commissioners to look into the finances, minutes, and the infrastructure of the Board of Directors of CTC.
- Rev. Gregory Richardson distributed copies of the resolutions from the San Francisco Labor Council, AFL-CIO, and the Pastors and Ministers Conference of San Francisco and Adjacent Cities, Inc. He alleged that the report on the research and analysis of the public access channel was not made public; the report does not address the Constitution of the State of California, and asked that the State evaluate the actions of the corporation before the renewal process is considered. He alleged that the law of the Corporation was not followed, and requested the Commission to investigate this.
- George Geevargis, producer of San Francisco World TV (formerly Assyrian TV of San Francisco), and Executive Producer of International San Francisco TV, said that newcomers support CTC, but that there is bias and discrimination. He presented his problems regarding programming to the CTC officers, but nothing was done until after he spoke at the Telecommunications Commission meetings. He said that overnight playback biases occurred, where some programs are played two or three times and some programs are not played back. He thinks that the showing of a non-local production on the channel is not a First Amendment issue.
- Tami Kallen, a volunteer at CTC, stated that the CTC staff is commendable and experienced, but that the non-elected Board of Directors does not represent her. She was concerned that the renovations of the studio that should have taken six months, took over a year.
- David Grace, producer of a nine-year program, was present when it was Viacom, TCI, AT&T, and now SFCTC. He sees no improvements. He likes the staff but is

unimpressed with the management of the station. He agreed with Rev. Richardson's comment that the CTC grant award was not made available to the public, thus the hearing did not meet the requirements of the Brown Act. He stated there are not enough edit suites for local producers, thus out-of-town productions are aired because of this lack. The present producers are underserved because there is only one channel, whereas there should be two channels for San Francisco residents.

Commissioner Rouan said that he visited the facility, attended a lottery meeting, and spoke to various individuals at CTC. He observed that producers who favor the lottery system, and producers who oppose it are both passionate about television, and everyone agrees there should be a better facility. It is his opinion that the lottery is a viable system. The concerns that have been brought up at the Telecommunications Commission meetings are addressed in "The Policies and Procedures Manual," which all the producers received.

Commissioner Rouan, Acting President Bogen, Brian Wilson and other members of the review panel have observed the practices of other community access centers. The issue of locally produced programs versus non-locally produced programs is debatable because it may not be possible to produce some programs in San Francisco. But a San Francisco resident has the right to air a non-locally produced show. Using volunteers can expand hours of operation. Commissioner Rouan stated that everyone goes through the same process in the lottery timeslot selection regardless how long a producer was in a certain timeslot. He feels satisfied about the steps the City has taken. He realizes that there will be disagreements, which he hopes will mend over time. He is satisfied with the grant award; it is a document that can be amended. CTC will return in January 2003 with a proposal on these issues.

Commissioner Myatt stated that the public has succeeded in bringing attention to those issues that needed to be resolved; Zane Blaney, in a memorandum addressed to the Telecommunications Commissioners, has found ways to incorporate all of the concerns. For example, CTC has agreed to review its staff scheduling, develop and implement a revised schedule; CTC has agreed to review its bylaws and make appropriate revisions to change from being a fully self-appointed Board to include producer representative seats and will give a progress report to DTIS in January 2003; and, CTC will develop and implement an internship program. Commissioner Myatt told the producers that they have DTIS and the Telecommunications Commission's attention. The only disagreement is over the lottery issue. Commissioner Myatt agrees with Commissioner Rouan that when there are more applicants than timeslots there will be losers, but it is a fair way to accommodate new producers when the capacity is limited, as it is, and there is a commitment to increase the capacity over time. Commissioner Myatt also toured the facility and talked to the staff at CTC, and is encouraged by the whole process and its accomplishments. He is troubled that some of the commitments stated in Zane Blaney's memorandum are not addressed concretely in the grant award. The composition of the board is an example. He suggested that amendments be made to the grant award. He believes this is a major victory for the public.

Commissioner Daluvoy concurred that it is very difficult to give everyone a timeslot, because they are limited. He said that the lottery is the fairest way to issue timeslots to get diverse views on the air, and that the public can submit ways to improve it. He is troubled by the serious criticisms directed toward CTC, and thinks it would be helpful to the Commission if specific details and examples could be given.

The following public testimonies were presented:

Allison Horn, President of CTC Board of Directors, was very pleased by the hearing. He said that it is a victory for everyone when publicly aired concerns are addressed productively. The responses to the allegations that have been written by CTC's administration indicate their willingness to respond and improve. This mandate is about free speech and free expression for everyone.

Carl Bryant on behalf of the San Francisco Labor Council, AFL-CIO, and the Pastors and Ministers Conference of San Francisco and Adjacent Cities, Inc. reiterated the need for an elected Board of Directors and that the resolution should state that there will be two or three elected producers sitting on that Board. He would be satisfied with that addition.

David Miles Jr., as a former Board member, stated that the CTC Board of Directors discussed these issues. He thinks that the action the Board took was neither appropriate nor in accord with the bylaws. He does not believe this was a victory for the public.

Peggy Kosters, member of the CTC Board of Directors, said that the issues that have been brought up by the public have been discussed in details with Brian Wilson and DTIS in the development of the contract. As a new producer, she found the staff very helpful. She appreciates having public access available to the disability community.

Rev. Gregory Richardson agreed with the Commissioners that it is good to discuss issues before making a decision. He stated that the whistle blower should not be disregarded. Further, he noted that the former member of the CTC Board of Directors stated that the CTC Board of Directors has violated the bylaws that govern the organization.

Maggie Rivera said that Commissioner Daluvoy was correct when he stated that everyone can speak about their personal issues, have a second agenda, be upset, and say what they want. But that person must show proof that the staff, the Board of Directors, or anyone having to do with Channel 29, have been misusing funds. When she lost her timeslot for her show, "Hot Talk for Teens," which has been on the air for six years, she was not upset. She appreciates being able to check out \$10,000 of equipment with her ID; and, she believes that people should be happy with what they are getting.

John Higgins, Vice President of CTC Board of Directors and chair of the Program Committee that was responsible for the development of the Policies and Procedures Manual, said that uncontested allegations are in effect tacitly approved, where, at the same time, addressing them can give them unwarranted credibility. He wants the record to show that the sweeping allegations are unfounded, that there are disagreements on certain issues that have been outvoted. He stated that he is happy with the review and the oversight that has been provided by DTIS and the Telecommunications Commission. Since disagreements will emerge on certain issues, they need to be resolved. The CTC Board of Directors will continue to hear input from the public at their meetings -- public access is not about seniority, or about building an audience, but about freedom of speech.

David Grace stated that the Brown Act was violated by not providing copies of this resolution to the public. He thinks that the purpose of the meeting is to determine whether or not to renew the contract, not to deal with specific problems in the workings of CTC. He asked whether the Commission would at this time deal with whether the Brown Act was violated.

Acting President Bogen replied that the Commission will address this as soon as the public testimony is completed.

David Grace said that this is important; the discussion about the lottery was extraneous; and, he came tonight to discuss whether or not the contract will be renewed with SFCTC.

George Geevargis, executive producer of "San Francisco World TV," mentioned that there were abuses and constant discrimination against his program, about which he complained to Zane Blaney and Jane Levine and Tom. Not until he spoke publicly at the Telecommunications Commission meeting was his problem corrected and the playback done. He expressed dislike for the lottery system.

Zane Blaney, Executive Director, CTC, said that he has never seen a Commission that was so open to hearing repeated comments from people. He stated that the allegations made by the public, such as violation of the bylaws, comparisons to Enron, need for state and federal investigations are unjustified. The CTC Board of Directors' meetings are open to everyone, without secrecy. The funds, the facility, and the staff are devoted to serving the producers. Never have efforts been made to remove shows from the public access channel -- this would be contrary to federal law and City regulations. Public access is not a right, it is a privilege. Although CTC wanted to complete the two million-dollar construction project in six months, it took a year and a half to get it done. The Policy and Procedures Manual is a living document which will be reviewed and amended where appropriate, for example, CTC will continue to evaluate the lottery procedure. Blaney expressed hope that the Commissioners will trust the staff. He assured the Commission that CTC has been and will continue to be responsible and responsive to the Commission and to the City and County of San Francisco.

Vincent Francis said he appreciates the Commission, CTC staff, and the resource to produce his show.

Acting President Bogen said she is mindful that when issues are raised the Telecommunications Commission will hear them, and give specific responses to detailed allegations. She stated the lottery issue will not be resolved by this Commission or by this contract. Alternatives to the lottery should be discussed with CTC. The issue about elected Board of Directors is serious, and CTC has committed to address it. She stated that she would like assurance that the request by the San Francisco Labor Council for a membership organization be addressed.

Acting President Bogen referred to the allegation made by Rev. Gregory Richardson and David Grace that there was a violation of the Brown Act. She asked for a member of the public to step to the podium and identify the document in question. David Grace stated that the resolution refers to the contract with CTC. The Deputy City Attorney, Christine Ferrari pointed out that the document is available to the public and also noted under "Communications" in the agenda of September 23, 2002. David Grace replied that he stands corrected. Christine Ferrari stated that with this member of the public there was no violation of the Brown Act.

Acting President Bogen turned to the allegation of the violation of the CTC bylaws and asked David Miles Jr. to step forward and identify the violation with some degree of specificity. David Miles Jr. said the issue has to do with his reprimand by the CTC Board of Directors when he sent an e-mail to the producers explaining the Board's vote on the timeslot selection process. He handed an e-mail from Zane Blaney to the Commissioners. After much discussion, Acting President Bogen asked Mr. Miles what was the corporate bylaw that was violated. Mr. Miles replied that the Program Committee should discuss the issue first before presenting it to the full Board of Directors for a vote. Apparently this procedure was not followed. The head of the Committee decided that since certain members were not at the meeting, he took it to the full Board of Directors for a vote. After that meeting, Mr. Miles sent an e-mail to the producers and used the word "Taliban" to refer to the actions of the Board and a meeting was set up to publicly reprimand him for using the word "Taliban." During the disciplinary meeting, he alleged the public was asked to leave the room so they can bring in other people to "pile on." According to the bylaws the disciplinary hearing can be open or closed as per the person's wishes. David Miles Jr. requested an open hearing. During the meeting of February 5, 2002 the Vice President closed the meeting. He left when the meeting was closed. The Board voted to reprimand him for 60 days during which time his tenure as a Board member expired. He spoke to some members of the Board of Supervisors who informed him that he was still a Board member and needed to attend the meeting, but the Board of Directors saw otherwise.

The Commission recessed for five minutes.

Acting President Bogen commenced the meeting by stating that she would like Mr. Grace to have a chance to review the grant award. She and Commissioner Myatt asked

that the language in the current draft award be revised to include the concerns raised by the public and to include the commitments made in the memorandum addressed to the Commissioners by Zane Blaney. Acting President Bogen proposed that the resolution be continued to the next regular meeting of October 28, 2002; that the CTC grant award be reviewed and amended; that the amended grant award be made available to the public; and, that the public be given an opportunity to comment on the amendments in the grant award at the October 28, 2002 meeting.

Acting President Bogen asked David Miles Jr. to specifically identify the alleged bylaw violation and to communicate it to the Commission Secretary by the next meeting of October 28, 2002. Executive Director Loeven assured the Commission that funds to keep public access operating would be extended for another month. Commissioner Myatt mentioned that Rev. Gregory Richardson claimed that there was a violation of the Brown Act when Brian Wilson's report was not made available to the public. Acting President Bogen asked the Deputy City Attorney and the Commission Secretary to review the appropriate recording and make the requested document available to the public.

7. Calendar Matter

The Telecommunications Commission will not meet during November 2002. The next meeting will be a special meeting to be held on December 2002 (date is to be determined) at the Department of Telecommunications and Information Services, 875 Stevenson St., 5th floor, 5:00 p.m.

Attached is the Telecommunications Commission "Pending Topics" list.

Public testimony: none; Commission comments: none.

8. General Public Testimony

Aline Dinoa, member of the San Francisco Programmers and Producers Network (PPN) addressed Commissioner Myatt, stating that his comments regarding the documents referred to by Rev. Gregory Richardson were based on incorrect information – the document referred to by Rev. Richardson was the Request for Grant Application. She said that the violation of the Brown Act occurred when the Request for Grant Application was not revealed to the PPN, which therefore did not have a chance to apply for the grant.

John Higgins, Vice President of the CTC Board of Directors, said that although the open forum is a good thing, it also lends itself to abuses because anyone can make accusations and delay procedures. He said that the issues being discussed have already been reviewed and discussed with the DTIS staff. He contended that this was not the appropriate forum for dealing with accusations.

9. Adjournment

Acting President adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, October 28, 2002, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There are four action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Acting-President Kim Bogen
Commissioner Sunil Daluvoy
Commissioner Elizabeth Inadomi
Commissioner J. Michael Myatt
Commissioner Michael Rouan

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2) APPROVAL OF THE MINUTES

September 23, 2002 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the Minutes from the September 23, 2002 special meeting.)

- Adoption of the Minutes – September 23, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of

this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven):

(The following will be discussed or updated by the Executive Director):

- **Comcast responses to comments made during public testimony of August 26, 2002 Telecommunications Commission meeting;**

- **Recent Events**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Wireless Providers' Presentation

FOR DISCUSSION ONLY

Regarding the Future of the Wireless Industry

(There is no handout associated with this item)

- Public Testimony
- Commissioners' Comments

7) OLD Business

CTC Grant Award and Adoption of Resolution 02-027

ACTION ITEM

(The handout associated with this item is the full text of Resolution 02-027.)

ADVISING THE DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES (DTIS) TO: 1) AWARD A GRANT AGREEMENT THE MANAGEMENT AND OPERATION OF THE CITY'S PUBLIC ACCESS CHANNEL AND FACILITY, "ACCESS SAN FRANCISCO", TO THE SAN FRANCISCO COMMUNITY TELEVISION CORPORATION (SFCTC), AND 2) REQUEST THAT THE BOARD OF SUPERVISORS DESIGNATE THE SFCTC AS THE MANAGEMENT AND OPERATOR OF THE CITY'S PUBLIC ACCESS CHANNEL AND FACILITY, "ACCESS SAN FRANCISCO", FOR THE TERM OF THE GRANT AGREEMENT, ENDING JUNE 30, 2005.

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

a) Commission Officer Election – President

ACTION ITEM

(The Commission will vote for the new President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

b) Commission Officer Election – Vice President

ACTION ITEM

(The Commission will vote for the new Vice President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

8) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunication Commission of November 25, 2002 is cancelled. The next meeting of the Telecommunications Commission is a special meeting on December 16, 2002 at the Department of Telecommunications and Information Services (DTIS), 875 Stevenson St., 5th floor, 5:00 p.m. The agenda will include discussion items on parliamentary procedures, Sunshine Ordinance, and the review Commission topics for 2003. There are no action items on this agenda.

- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

9) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

10) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the October 28, 2002 Commission meeting;
2. Draft minutes for the September 23, 2002 regular meeting;
3. Community Television Corporation (CTC) Grant Award Resolution;
4. CTC Grant Agreement;
5. PowerPoint of Grant Process: Public Access Service Provider presented at September 23, 2002 meeting;
6. Zane Blaney's responses to public testimony about the SFCTC;
7. DTIS response to producers' concerns regarding SFCTC;
8. Deputy Director's report;
9. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

September 24, 2002 – October 23, 2002

1. Letter received from Comcast in response to questions asked during public testimony of August 26, 2002 Telecommunications Commission meeting.
2. Letter received from Linda Crayton, Director of Franchising and Government Affairs at AT&T amending the Cable Television Franchise. And semi-annual San Francisco Network Upgrade Report.
3. E-mail received from AT&T Broadband customer stating the trouble he is having in getting a technician to come to fix the reception on some of the AT&T cable channels.
4. E-mail received from a producer at Channel 29 who lost his old timeslot to another producer; he contacted the other producer who agreed to exchange timeslots. The management at CTC would not allow this to happen.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through videostreaming. To see the meeting online, visit www.sfgov.org and click on the "Watch Citywatch Cable TV online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

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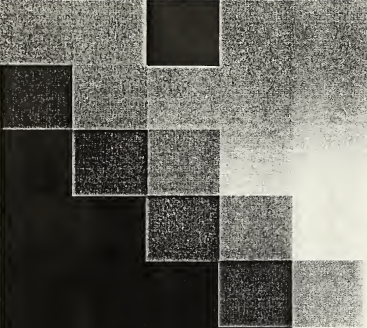
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Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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Grant Process: Public Access Service Provider

A public request for grant proposal process



November 2001

**Telecommunications Commission
Requests DTIS to:**

- ... award new grant for the operation and management of the City's Public Access Channel, Access San Francisco, after conducting a competitive and open application process, evaluating the scope of work and deliverables desired by the City and considering the qualifications of interested parties.



Process

November - December 2001

- Research and analysis
 - Review and consider
 - Current deliverables
 - Public concerns
 - Best practices
 - Comparable public access operations
- Draft scope of work
- Draft Request for Grant Proposals (RGP)



Process

January – February 2002

- Draft RGP Reviewed by:
 - ☐ Telecommunications Commissioners
 - ☐ DTIS staff (PPC/Contract Admin.)
 - ☐ City Attorney's staff
 - ☐ City Risk Manager
 - ☐ Public Access professionals (outside of SF)



Process

February – March 2002

- RGP issued
 - City's Web site
 - Official Newspapers
- Proposers Conference held
- Grant Proposals accepted



Grant Proposal Review Process

■ Review Panel:

- ☐ City staff
- ☐ Telecommunications Commissioners
- ☐ San Francisco resident
- ☐ Public Access professional

■ Public Comment:

- ☐ Telecommunications Commission meetings



Grant Proposal Review Process

March - June 2002

■ Review Panel's Job:

- ☐ Tour facility
- ☐ Interview Applicant
- ☐ Consider Public Comment
- ☐ Review proposal
- ☐ Evaluate/revise Scope of Work
- ☐ Accept proposal
- ☐ Recommend final action
 - Negotiate Grant Agreement



Where we are now:

Key Elements of the Grant

- Duration : Three years
 - ☐ Renewable
 - ☐ Ties to lease/franchise term
- Outreach:
 - ☐ Shifts focus of public access
 - From "Destination" to "Partner/Collaborator"
 - Targeted outreach
 - ☐ Underserved communities
 - ☐ Youth
 - ☐ NPO&CBO



Where we are now:

Key Elements continued ...

■ Requirements:

- ☐ Alternative/supplemental funding
- ☐ Membership program
- ☐ Volunteer/Internship program
- ☐ Board nomination process
- ☐ Regular reporting

■ Policies and Procedures:

- ☐ ACM best practices
- ☐ Distributed at all Orientation sessions
- ☐ Posted on WEB SITE

Where we are now:

Key elements continued ...

- Minimum standards for training/production
- All schedules available on WEB
- Expanded operating schedule
- Programming goals
 - Series
 - Single episode
 - Locally produced & non-locally produced



Where we are now:

Key elements continued ...

- Annual review of deliverables
- Performance evaluation prior to renewal
- Audit prior to renewal

DTIS, the Grant Application Review Panel and the SFCTC request that:

The Telecommunications Commission adopt resolution
02-027, advising DTIS to award this Grant and
requesting that the Board of Supervisors designate the
SFCTC as the management and operator of the City's
Public Access Channel, Access San Francisco for the
term of the agreement.

730
26/02

**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

October 28, 2002

CITY HALL

**ROOM 400
5:30 P.M.**

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COMMISSIONERS

**Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Acting President Bogen at 5:30 p.m. and roll was called by the Commission Secretary.

Present: Acting President Kimberlee Bogen
Commissioner Sunil V. Daluvoy
Commissioner Beth Inadomi
Commissioner J. Michael Myatt
Commissioner Michael Rouan

Acting President Bogen welcomed Commissioner Beth Inadomi and thanked her for serving on the Telecommunications Commission. Acting President Bogen read into the record the following synopsis of Commissioner Inadomi's experience:

Commissioner Inadomi has more than 15 years of experience in technology and public policy work. Most recently, she led the technology business practice for a premiere Washington government affairs firm, advising clients in the online, information technology and biotechnology sectors. She created and implemented political, media, and grass-roots strategies and led coalitions of nonprofit and for-profit organizations to bring attention to and help resolve public policy issues.

Previously, Commissioner Inadomi served as Counsel to the U.S. Senate Commerce Committee and the U.S. House of Representatives Science Committee, where she helped establish the legislative agenda for federal research and technology issues through budget and policy hearings. She worked with Senators, Members of Congress, White House staff, federal agency officials, and university and private company officials to pass policy and funding legislation.

Commissioner Inadomi also headed the external affairs organization for the NASA Ames Research Center in Mountain View, developing novel joint government, university, and industry projects, and managing the Center's public affairs, legislative affairs, and educational programs. She led the expansion and revitalization of the Visitors' Center and worked with local communities to develop a mixed-use plan for the former U.S. naval facilities at Moffett Field.

Commissioner Inadomi holds a J.D. from the University of California, Davis and an A.B. from the University of California, Los Angeles. She is admitted to the California bar.

Commissioner Inadomi and her family reside in Noe Valley.

Roll was called by the Commission Secretary.

Present: Acting President Kim Bogen
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner J. Michael Myatt
Commissioner Michael Rouan

2. APPROVAL OF THE MINUTES OF SEPTEMBER 23, 2002

Commissioner Inadomi requested to abstain from voting on the September 23, 2002 minutes, because she was not present. Acting President Bogen made a motion, seconded by Commissioner Myatt to exempt Commissioner Inadomi from voting on the adoption of the September 23, 2002 minutes. The Commission moved to grant Commissioner Inadomi an abstention with four ayes [Bogen, Daluvoy, Myatt, Rouan]; none opposed.

Commissioner Myatt made a motion, seconded by Acting President Bogen, to approve the minutes of September 23, 2002. The Commission moved to adopt the minutes with four ayes [Bogen, Daluvoy, Myatt, Rouan] and one abstention [Inadomi]; none opposed.

Public testimony – none.
Commissioners' comments – none.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony – none.
Commissioners' comments – none.

4. DIRECTOR'S REPORT

Executive Director Loeven extended his congratulations to Commissioner Inadomi and welcomed her to City service.

He referred to the Comcast letter dated September 29, 2002 that thanked the Commission for allocating time at its August 26, 2002 hearing for Comcast to discuss its customer service operations.

The letter also provided Comcast's responses to questions raised by members of the public at that hearing relating to:

1. Customer service complaints related to the Excited@Home transition;

2. Labor practices;
3. Internet privacy;
4. Comcast's interests in programming.

The Executive Director stated that DTIS will refer to this information as well as information derived at the hearing as it continues to discuss related issues with Comcast and AT&T Broadband.

He also recognized Ruth Lang, DTIS staff for her project management of the new Homelessness Management Information System. The system, called CHANGES, provides on-line real time information about client needs and services in a secured system that maintains confidentiality. It supports intake, bed reservations, resource referrals, case management, and other services. The program has provided:

- Pilot of 5 locations launched 10/2/02;
- Intake and bed reservations only;
- Remaining 18 sites will be implemented in December, 2002;
- Citywide implementation;
- Potential initiative for Bay Area Counties.

DTIS worked closely with the Mayor's Office on Homelessness to deliver this system quickly and within budget.

Public testimony: none.

5. DEPUTY DIRECTOR'S POLICY REPORT

In response to Commissioner Daluvoy's query at the September 23, 2002 Commission meeting about the impact of AB 468 on the State-owned property within San Francisco, Deputy Director Brady replied that according to the State Property Inventory completed in June 2001, the State currently owns 2,007 sites or facilities including 19,147 structures in California. The State also holds 2,120 leases (information for San Francisco is not separated out). AB 468 bill was vetoed by the Governor on September 30, 2002.

The second item Deputy Director Brady reported on was on the FCC public rights-of-way forum held in Washington D.C. on October 16, 2002 to consider issues, policies and strategies for rights-of-way regulations and management. The forum consisted of three panels of representatives from the industry, state, and local governments discussing jurisdiction, compensation, and policy issues. Lisa Gelb, Deputy City Attorney, represented local governments and San Francisco on one of the panels. The forum is video archived on the FCC website at www.fcc.gov/realaudio/publicforums.html.

Public testimony: none.

Commissioner Myatt asked that a complete set of commission materials be sent before close of business on Friday before the Commission meeting. Acting President Bogen stated that agendas and reading materials will be discussed during the December special meeting in respect to timing and the possibility of receiving the materials a week before the Commission meeting.

Commissioner Daluvoy asked whether San Francisco has a policy regarding the rights-of-way management. Deputy Director Brady answered that there is stated policy both in the Administrative Code and in the Telecommunications Plan. It is City policy to facilitate, manage and be compensated for deployment of competitive telecommunications services.

6. NEW BUSINESS

Wireless Providers' Presentation Regarding the Future of the Wireless Industry

Executive Director Loeven stated that the wireless providers were invited to give an overview on the products and technologies available now and in the future to benefit the City. Susan Pedersen, Executive Director, Cellular Carriers Association of California has coordinated with the various wireless carriers to discuss products, services and technologies in San Francisco.

Susan Pedersen, Executive Director, Cellular Carriers Association of California (CCAC) made the following points:

- The CCAC is a trade group representing a number of wireless carriers and equipment manufacturers in California. The group works on legislative and regulatory public policy. Twelve carriers are members on the national and the rural local level. Tonight, four members of the association will give presentations.
- In 1996, there were approximately five million wireless subscribers in California; today there are nearly 15 million. This industry is very competitive and consumer driven. Most Californians can choose from at least 6 carriers, but in the City and County of San Francisco there are more choices. Competition has resulted in dramatically reduced prices for Californians. According to the U.S. Bureau of Labor Statistics, between 1997 and 2001 the U.S. Consumer Price Index (CPI) rose 9.7% while the wireless CPI fell 33%.
- In 2002, it is expected that the industry will put nearly three billion dollars into infrastructure and network development to add capacity and upgrade the networks to support the new technologies.
- In 2002, carriers and equipment manufacturers and related industries employed over 60,000 Californians.

- The four carriers who will give presentations are: Verizon, AT&T, Cingular, and Nextel Communications.

1. Michael Bagley, Director of Public Policy, Verizon Wireless gave the following presentation (see Attachment 1).
2. David Abele, West Regional Attorney for Nextel Communications made the following points:
 - Nextel was founded in 1987 and currently serves more than ten million customers nationwide;
 - Nextel offers a four-in-one service using a packet-based platform, the integrated enhanced digital network which was developed by Motorola;
 - The four-in-one service includes a digital interconnect service, a Nextel direct connect (push to talk), or digital walkie talkie service, Nextel mobile messaging which includes text, numeric and two way, and Nextel wireless web;
 - Nextel third quarter results were outstanding;
 - Nextel introduced Java-enabled wireless phones and launched the wireless Blackberry device;
 - Currently Nextel is issuing a traveling direct connection and by mid-year 2003 it will launch the nationwide direct connect (push to talk, a walkie talkie service);
 - The company is focusing on capacity-enhancing technology to increase the existing capacity of the network without having to make a large capital investment;
 - Nextel has reduced cost in the engineering budget without reducing the quality of the network;
 - Impediments to siting and deployment include overly burdensome procedures and requirements with respect to: monitoring the existing sites, reporting on emission levels beyond FCC requirements, requirements for notices and community meetings, justification of the need for sites, restrictions on modifications and equipment changes.
3. Susan Knox, Regional Vice President, Cingular Wireless in Northwest California, Nevada, and the Pacific Northwest gave background information about the company and reported on future products that Cingular will be offering to customers in the San Francisco region (see Attachment 2).
4. Jacob Feinstein, Director, Portal Development, AT&T Wireless Services, Inc. gave a presentation entitled, "A mMode Day in a mlife." He demonstrated that the mobile multimedia services is equipped to make telephone calls, receive e-mail, listen to music, find a restaurant, receive sports update, locate names and addresses, take photographs and send them in an e-mail message.

During public testimony, Rev. Gregory Richardson stated that the wireless technology is directly important to the City and County of San Francisco during crisis, that the wireless providers should move expeditiously, and that the Emergency Communications Center should use wireless technology to protect the citizens of San Francisco.

Commissioner Inadomi asked Executive Director Pedersen how San Francisco compares with other large cities in terms of wireless subscribers. Executive Director Pedersen said that they do not have regional breakdowns, but the Bay Area is a leading user of wireless technology.

Commissioner Daluvoy asked Executive Director Pedersen whether the wireless providers had questions and how the Commission could help expedite the permit process for cell tower sitings, increase network capacity, and use of new technologies.

Executive Director Pedersen replied that the Commission support the wireless providers by expediting the additional network constructions essential to using new technology. She said that the wireless providers intend to collaborate with the local communities, because network construction depends on them, and that support from the Commission and the Board of Supervisors would be helpful. Executive Director Pedersen asked the network specialists who were present to briefly state their concerns.

Acting President Bogen invited the providers present to address the challenges of deployment so that the people in the City and County of San Francisco could access the technologies and services that were presented. She enumerated concerns about cell site deployment, requirements for justifying sites, and other requirements in San Francisco.

Peter Musshardt, Site Development Manager, Verizon Wireless for Northern California and Nevada, stated that the Verizon staff has devoted much time to planning and attending committee meetings with some of the Board of Supervisors to review the requirements of cell site permits. He further stated that San Francisco has the most demanding regulations of any jurisdiction in California, and that the wireless industry has worked with the City on placement of cell sites while considering land use issues, safety, and service to customers. He indicated that, although the City requires the industry to prove necessity of every cell site brought into the City, there is no clear definition of necessity and many applications have been denied. Therefore, he is looking to the Commission to encourage both the Planning Department and the Board of Supervisors to work more closely with the industry regarding the sitings. He said that to accommodate the citizens of the City and County of San Francisco more sites are needed -- eight or nine months ago a survey was presented to the Board of Supervisors which showed that more than 60% of the 600,000 customers of cellular and PCS services in the City were in favor of increasing capacity by adding new cell sites, especially in areas outside of downtown San Francisco, and in increased dependability of the networks.

Joe Morales, Director of Implementation, AT&T Wireless for California and Hawaii

explained that implementation means the deployment of the network from the design to bringing a site in an area. He stated that two challenges and a white elephant need to be addressed, and made the following remarks:

First, the Federal Communications Commission (FCC) mandated a partnership between the local jurisdictions and the carriers such that these networks must be deployed and the local jurisdictions cannot deny the deployment. But, local control over sitings causes a balkanization among cities over the deployment of the networks, whereas networks are supposed to be seamless across city and county boundaries.

Second, the FCC has placed the wireless industry (unlike other utilities) in competition with itself. Not all of the carriers started at the same time. Each developed a coverage concept and then increased capacity as more customers signed on. Since there is a limitation on the number of calls that can be carried on each tower, as more carriers were licensed within a jurisdiction, each carrier started from a different vantage point. Commonalities or co-locations are merely happenstance because each carrier started from a different usage pattern. Nevertheless all of the carriers need to be deployed.

The white elephant is the FCC mandate that jurisdictions cannot base their siting decisions on health or environmental issues, whereas these issues are important to the citizens. Although different jurisdictions handle the health issue in different ways, the carriers would like to see a common acceptance of what the FCC put forth. The carriers need speed, but they are deploying 21st century technology in a planning review system that was conceived for large scale malls, developments, churches, schools, and mass architectural structures. Every carrier has moved forward in lessening the architectural problems but wants clearly stated rules on how a site should blend into the environment. A balance between capital expenditures and the requirements placed on the system is needed. No one pays today what was paid five years ago for wireless service; therefore, every carrier must look at the capital expenditures needed to provide a speedy and predictable schedule. That every site is scrutinized creates inequity on availability and quality of service in certain areas. San Francisco ranks third after New York and Los Angeles in number of wireless subscribers. The new challenge is to have the service work at home in the outlying areas.

His request to the Commission is to make it possible for the carriers who deploy these networks to have predictable architectural standards, to abide by the constraints of the Telecommunications Act, and to respond to concerns about health issues in a forum with the federal government rather than the local jurisdiction.

Commissioner Daluvoy asked whether the carriers had compared San Francisco with other cities in terms of calls dropped, network reliability, customer service, customer complaints, and how cell tower capacities relate to these complaints. Further, network

coverage and reliability grew out of unique origins, but now the efficacy of the system depends more on application and services and less on the coverage and reliability. Executive Director Pedersen stated that carriers building their systems are not necessarily building the same system. She asked for a carrier to address Commissioner Daluvoy's specific point.

Jacob Feinstein, AT&T Wireless, stated that the principle underlying applications and services is good call quality, coverage, and reliability. Most usage continues to be the placing and receiving of phone calls. In answer to the Commissioner Daluvoy's questions regarding customer complaints, he said that call quality is what satisfies customers.

Susan Knox, Cingular said that the issues regarding the reliability and the coverage remain the same regardless of whether the communications is data or voice.

Commissioner Myatt stated that the issues were clarified for the Commission, and that the Commission can be of help. He referred to Rev. Richardson's comments during public testimony regarding the impact to 9/11; New York did a study on what the cellular carriers were able to do in helping first responders, and also what they were unable to do because of the geographical location. Therefore, he said it would be prudent for the City to study the impact of the cellular industry on the City's emergency preparedness, to determine whether these services are effective during crisis. He said the cell site positioning is presently determined by an antiquated planning process rather than by selecting the best location to provide coverage during an emergency. Yet the emergency system is dependent upon a viable wireless network provided by a variety of carriers -- a carrier may be chosen for a particular plan and features but not necessarily by the drop call rate, etc. He said the Commission needs to look into emergency preparedness; that every carrier has the software programs that indicate where cell sites should be put for reliable coverage to achieve a certain drop call rate; that the position of the cell sites is changing the drop call rates and that information be communicated to whomever is doing the emergency planning, and particularly to the 911 Emergency Communications Center.

Commissioner Myatt wanted to know whether all four carriers' 911 calls are going into the 911 Emergency Communications Center. Executive Director Pedersen stated that Phase 1 was completed in June 2002, and wireless industry supports the rollout and success of Phase II of enhanced wireless 911 network even though the carriers are on different schedules, probably driven by the FCC schedule. She stated that Phase II is a complex rollout which involves state and local coordination, LAN and wireless line work.

Commissioner Rouan asked whether a forum or website is shared by the several wireless carriers. Executive Director Pedersen said that the association is planning a website this year.

Commissioner Myatt asked how many of the four carriers that were present could still provide cellular service in the event of a citywide power outage. By a show of hands, all

four carriers attested that they could provide that service.

Acting President Bogen thanked the association and providers for giving their presentations in what seemed to be the beginning of a continuing dialogue. She assured them that the Commission wants the City and County of San Francisco to have the best communications, and wants to assist the carriers in identifying problems and developing a common understanding.

Recess.

7) OLD BUSINESS

a. CTC Grant Award and Adoption of Resolution 02-027

Since the text of resolution 02-027 was read into the record at the meeting of September 23, 2002, Acting President Bogen asked Brian Wilson, DTIS Policy Analyst, to address the Commission and point out the revisions that were made in the Community Television Corporation (CTC) grant award because of the concerns raised by the public at prior Commission meetings. She asked that Wilson's presentation be followed by members of the public who were in favor of the grant award, and thereafter by members of the public who were not in favor or wished to comment on the resolution.

Acting President Bogen asked the persons who spoke at the last meeting to confine their remarks to the revisions in the CTC grant award; and said that all other persons wishing to be heard would be allotted three minutes each to comment on the subject.

Brian Wilson, DTIS Policy Analyst stated that under the revised draft, the SFCTC agreed to:

- Develop and implement a membership program with fees.
- Develop and implement a public process for member representation on the SFCTC's Board of Directors, in keeping with Section 12.L.6 of the San Francisco Administrative Code regarding non-profit organizations receiving funding from the City and County of San Francisco. This is to be brought to the attention of the Commission in 2003.
- Allow review of SFCTC performance by an outside agency during the term of the grant.
- Develop and implement a plan to operate the center on a six-day schedule; this is to be brought to the attention of the Commission in 2003.
- Use volunteers and interns as administrative assistants.
- Program the public access channel in an equitable fashion.

The final grant award document with the revisions was posted on the Telecommunications web site, and hardcopies were made available to the public at the October 28, 2002 meeting.

Wilson called attention to a typographical error as marked in Appendix A – Definition of Eligible Expenses

- (a) paid by Grantee prior to the submission of the applicable Funding Request (no advances of Grant Funds shall be made); **or, if advances are permitted: expenses** to be incurred and paid by Grantee no more than 90 days after the disbursement of Grant Funds pursuant to the Funding Request.

Public testimonies for the CTC Grant Award and other comments:

Carl Bryant, producer of "Letter Carriers Today," and member of the Producers and Programmers Network of San Francisco (PPN) agreed with the proposed changes in the CTC Grant Award, but said that he saw nothing about an elected Board of Directors. Acting President Bogen referred him to page 16, Section 13.4, and Appendix B-5, Section 2. j which addressed his concerns.

Dr. Eddie C. Weblon, General Chairman of the Greater San Francisco African American Joint Education, Business, and Economic Development Commission of the Bay Area was concerned about the lack of participation and representation of African Americans on the Commission. He suggested that the CTC Board of Directors should have representation from districts and a Community Advisory Board. He spoke of the cultural problem in the City and youths, such as the students at Thurgood Marshall School. He asked whether there is a monitoring system to assure that the CTC Grant Award is in compliance, and whether it represents the diversity of the City of San Francisco.

Public testimonies opposed to the CTC Grant Award and other comments:

David Miles Jr., President of California Outdoor Rollerskating Association and former member of the CTC Board of Directors said that the revisions to the CTC Grant Award stated above answered his concerns. But he asked the Commission to review the documents that he handed to the Commission Secretary, which explain the violation of the CTC bylaws.

Aline Dinoa, producer on Channel 29, encouraged the Commission to allocate some of the funds to the producers rather than give it all to SFCTC. She said that in 2001, when the facility was not in operation, the producers could have rented space to produce and edit their shows if they were given funds. She said that the SFCTC staff is self-serving and does not represent the diversity in the City.

John Higgins, Vice President of the CTC Board of Directors said that for 20 years public access was operated by a corporation that ran it like a fiefdom, whereas during the past two years public access has been managed by professional people with decades of public access experience. He thanked the Commission for all its work, mentioning that the revised CTC Grant award is a reflection of the input that has come from various

perspectives.

Danny Shipman, producer for "Reality Check," which airs on Channel 29 on Saturday, opposed the controversial lottery that was instituted by SFCTC. He said that recently he lost the timeslot which he had had for eleven years, stating that timeslot changes lose viewers for the show.

Rev. Gregory Richardson stated that no one spoke about the violation of the CTC bylaws. He asked whether bids were taken during the building of the new facility.

Tami Kallen, volunteer at the SFCTC said that she was disturbed by the lack of access for the San Francisco community to produce live shows. Under the lottery system, she said, local producers do not have priority over non-local producers. She contended that the most egregious example was the elimination of the live timeslot for "Labor on the Job," which had run for two live hours a month with current topical live shows, and call-ins; this show was moved to one taped hour a month. She stated that an elected Board of Directors can remedy the lack of accountability; and commended the Commission for making the revisions to the CTC Grant Award.

Commissioner Inadomi commented that she would like the Commission to be briefed about the availability of additional broadcast capability and how to make it available to public access programming. Executive Director Loeven replied that this information will be made available by the DTIS staff. Acting Director Bogen asked that this report be made available to the Commissioners at the December 16 meeting and, if appropriate, added to the agenda topics for 2003.

Commissioner Myatt supported this request because capacity is an issue at SFCTC. He reiterated that there were some useful outcomes in this dialogue, and that it is especially gratifying to hear persons such as Carl Bryant and David Miles Jr., who have attended the monthly Commission meetings, agree that some progress has been made. He said that the real success is that the people have the attention of the Commission to assure that the administration of the channels will be operated correctly. He expressed sensitivity to Dr. Welbon's concerns about representation.

Acting President Bogen thanked Rev. Richardson, Dr. Welbon, David Miles Jr, Carl Bryant, and the others who had testified at the various meetings. She said that the Commission has listened to their concerns and has worked with DTIS to include those concerns in the revised CTC Grant Award. She encouraged the producers to work with the Commission through the Commission Secretary, the staff, and the Board at CTC. She thanked the SFCTC, Brian Roberts and Brian Wilson of DTIS for producing the revised document, which includes an annual performance evaluation and review of deliverables, as well as audit provisions and requirements for financial deliverables.

She said that she listened to Mr. Grace's comments at the last hearing that it is about the award of the grant to the CTC. She said that she is mindful of the bylaw claims and allegations, and of Rev. Richardson's issues with respect to the building of the facility.

The award does not dismiss those claims, she said, but that it is an internal issue with CTC. She said that she is willing to work with concerned persons and the CTC Board of Directors to evaluate ways to achieve both financial oversight and assurance that the Board meets the obligations stated in the revised CTC Grant Award.

Commissioner Inadomi requested to abstain from voting on the adoption of the resolution and grant award. Acting President Bogen made a motion, seconded by Commissioner Myatt to exempt Commissioner Inadomi from voting on the adoption of the resolution 02-027 to grant the award to SFCTC. The Commission moved to grant Commissioner Inadomi an abstention with four ayes [Bogen, Daluvoy, Myatt, Rouan]; none opposed.

Acting President Bogen made a motion, seconded by Commissioner Myatt, to adopt resolution 02-027 advising the Department of Telecommunications and Information Services (DTIS) to: 1) award a grant agreement for the management and operation of the City's public access channel and facility, "Access San Francisco", to the San Francisco Community Television Corporation (SFCTC), and 2) request that the Board of Supervisors designate the SFCTC as the managing agency and operator of the City's public access channel and facility, "Access San Francisco", for the term of the grant agreement, ending June 30, 2005. The Commission moved to adopt resolution 02-027 with four ayes [Bogen, Daluvoy, Myatt, Rouan]; one abstention [Inadomi]; none opposed.

Commissioner Myatt pointed out that two proposals will be presented to the Telecommunications Commission by CTC: one, by June 30, 2003, the CTC will submit a proposal to make television production equipment and facilities available at reasonable and accessible times for City residents, with a goal of being open to the public 6 days/week; two, by October 1, 2003, the CTC will develop a proposal for representation of recipient of the Grantee's services, e.g. producers on its Board of Directors, including an outreach plan. He said that this time schedule does not preclude SFCTC from coming in earlier with a proposal.

b. Commission Officer Election – President

Commissioner Rouan nominated Acting President Bogen; Commissioner Myatt seconded the nomination.

- Commissioners' comments: None.
- Public testimony: None.
- Commissioners' Vote

Action Taken

The Commission elected Commissioner Bogen as President of the Telecommunications Commission until June 30, 2003 with four ayes [Daluvoy, Inadomi, Myatt, and Rouan], none opposed.

There was no public testimony on this agenda item.

c. Commission Officer Election – Vice President

President Bogen nominated Commissioner Myatt; Commissioner Rouan seconded the nomination.

- Commissioners' comments: None.
- Public testimony: None.
- Commissioners' Vote

Action Taken

The Commission elected Commissioner Myatt as Vice President of the Telecommunications Commission until June 30, 2003 with four ayes [Bogen, Daluvoy, Inadomi, and Rouan], none opposed.

There was no public testimony on this agenda item.

8) CALENDAR MATTERS

The regular meeting of the Telecommunications Commission scheduled for November 25, 2002 is canceled.

The next meeting of the Telecommunications Commission is a special meeting on December 16, 2002 at the Department of Telecommunications and Information Services (DTIS), 875 Stevenson St., 5th floor, 5:00 p.m. The agenda will include discussion items on parliamentary procedures, Sunshine Ordinance, and review of Commission topics for 2003. There are no action items on this agenda.

Public testimony: none; Commissioners' comments: none.

President Bogen asked that the Pending Topics List for 2002 be included in the discussion at the special meeting of December 16, 2002.

Public testimony: none; Commissioners' comments: none.

9) GENERAL PUBLIC TESTIMONY

John Higgins, Vice President of the CTC Board of Directors, said that the Board never questioned the specific items that were outlined in the revisions to the contract. He stated that CTC has regularly accommodated the wider scrutiny from DTIS or the Telecommunications Commission because they are stewards of the first amendment free speech rights for everybody in San Francisco. He thanked the Commission for its work.

President Bogen thanked Deputy City Attorney Christine Ferrari for her services to the Commission and wished her well in her future plans. She expressed appreciation for

her help in developing the Telecommunications Plan and the CTC Grant Award. In the future, the Deputy City Attorney will be attending the Commission meetings on an on call basis.

10) ADJOURNMENT

President Bogen adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Helen C. Danina

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**CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO**

Please note that the regular meeting of the Telecommunications Commission for
Monday, November 25, 2002, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

DOCUMENTS DEPT.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packets items, as noted on the Communications page, are available for public review on the Commission's web site (see address above), the San Francisco Main Public Library, 5th Floor, Government Documents Section or by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying applicable Commission documents at DTIS, payable at the time of service.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

SUNSHINE ORDINANCE

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Steno captioning will be available upon request. Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.



NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, December 16, 2002, 5:00 PM
Department of Telecommunications and Information Services (DTIS)
875 Stevenson Street, 5th Floor
San Francisco, CA 94102

AGENDA

There are no action items on this agenda.
All items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

President Kimberlee S. Bogen
Vice President J. Michael Myatt
Commissioner Sunil Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

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2) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of
this agenda.

- Public Testimony
- Commissioners' Comments

3) NEW BUSINESS

FOR DISCUSSION ONLY

a) Parliamentary Training

(John Taylor will conduct the training.)
(There is a handout associated with this item.)

- Public Testimony

- Commissioners' Comments

b) Sunshine Ordinance Training

(Edward Olsen, Deputy City Attorney will conduct the training.)

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

c) Commission Meeting Topics for 2003

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

4) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunication Commission will meet on January 27, 2003 at City Hall, Room 400, 5:30 p.m.
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
 - Public Testimony
 - Commissioners' Comments

5) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

6) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the December 16, 2002 Commission meeting;
2. Pending Topics List for 2002;

COMMUNICATIONS RECEIVED FROM THE PUBLIC

October 29, 2002 – November 22, 2002

None.

Please Note:

- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
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Commission Information:

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SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

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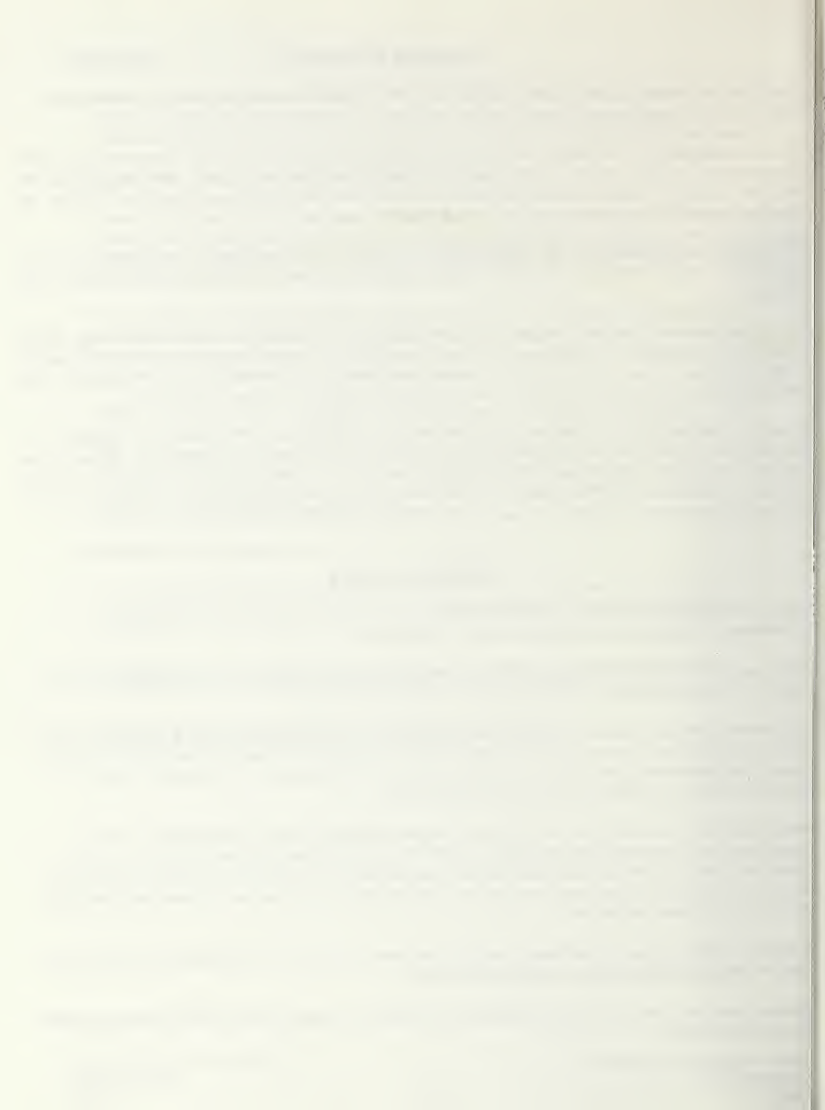
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**SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

December 16, 2002

**DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
(DTIS)**

**875 Stevenson Street, 5th floor
San Francisco**

5:00 P.M.

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COMMISSIONERS

**Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:00 p.m. at the Department of Telecommunications and Information Services (DTIS), 875 Stevenson Street, 5th floor, San Francisco. Roll was called by the Commission Secretary.

Present: Acting President Kimberlee Bogen
Commissioner Sunil V. Daluvoy arrived late
Commissioner Beth Inadomi
Commissioner J. Michael Myatt
Commissioner Michael Rouan

2. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony – none.

Commissioners' comments – none

3. NEW BUSINESS

a) Parliamentary Training

Parliamentary training presented by John Taylor covered the following points:

Introduction

Experienced in Local Government Public Meetings;
50 years ago;
City Manager 20 years;
Clerk of Board 16 years;
Several Commissions;
"10 years;"
Telecommunications Commission.

Public Meeting Basic Documents

The Sunshine Ordinance;
The Brown Act;
Political Reform Act;
Administrative Code;
Rules of Order.

The Sunshine Ordinance

Brown Act & Public Records Act & SF;
Open Meetings;
Notice;
Closed Sessions.

Rules of Order

Robert's;
Commission Rules;
Principles;
Pecking Order.

Principles

Only one motion is considered at a time;
Several motions can be pending at any one time, but only if they follow the standard pecking order;
Two motions of the same level cannot be pending at the same time.

(Commissioner Daluvoy joined the meeting.)

Rank of Motions

(Pecking Order)

Adjourn
Recess
Table
End Debate (Previous Question)
Continue or Postpone
Refer
Amend an amendment
Motion to amend
Main Motion

Agenda

Setting the Agenda
 President and Executive Director
 Timing

Comments

"Amendment of the Whole"

Mandatory Voting
Number of Votes Needed
Disclose Conflict
Form 700
Closed Session
Roles of the President
- Neutral, Clarity

Public Testimony

Before each item is voted on;
Public testimony then commission comments and action.

General Public Testimony

Not debatable

Commission Duties

Advise the DTIS Director;
Advise the Mayor and Board about advances in telecommunications;
Establish policy re public rights-of-way;
Adopt rules and procedures re rate regulation, customer service, and the use
of PEG channels;
Settle controversy with subscribers;
Submit Telecommunications Plan.

Commission and Staff

Natural tension
Team Building
Respect for each other and for staff
Be neutral and thoughtful
1932 Charter
1996 Charter
Telecommunications (not DTIS) Commission
Department budget and staff
Professional relationships
- Not want to say "No"
- Unfair fights

In answer to the questions by the Commissioners, John Taylor clarified the following points:

- The Commission cannot enter into a discussion about an item that is not on the Agenda/Notice.

- If a member of the public asks a question about an item that is not on the Agenda/Notice during General Public Testimony, the Commission may ask a few questions for clarification before referring the matter to the staff, or put it on the agenda at a future date. Commissioners should not engage in a prolonged discussion.
- Under *Rank of Motions*, "continue to the call of the Chair" is a legitimate way for the Chair to get more information before putting the item back on the agenda at a future date. The Commission Secretary was requested to track the items that have been "continued to the call of the Chair" for the sake of continuity.
- The President and Executive Director set the agenda.

b) Sunshine Ordinance Training

Edward Olsen, Deputy City Attorney distributed the training booklets entitled, "Sunshine Ordinance Training for San Francisco Public Officials" and provided the following outline:

- The two laws that the Commissioners should be familiar with are the Brown Act and the Sunshine Ordinance:
 - The Brown Act is a state law governing the obligations legislative bodies have for meetings to be open to the public.
 - The Sunshine Ordinance deals not only with open meetings, but also with public records.
- This training fulfills the "Sunshine Ordinance Declaration" which each Commissioner must file with the Ethics Commission on April 1st annually as well as read the Sunshine Ordinance.
- The principle of both the Sunshine Ordinance and the Brown Act is that the public has a right to attend and participate at the meetings; the meeting must be open and properly noticed.
- The special and regular meeting schedules are posted 72 hours in advance on the Commission's website, main public library, and sent out on various e-mail and hard copy distribution lists.
- Special meetings that are held in another location must be posted 15 days in advance.
- Note takers and sign language interpreters must be provided if requested 48 hours in advance of the meeting.
- Each agenda must provide a meaningful description of each item of business to be transacted or discussed; the description must be sufficiently clear and specific to alert any person of average intelligence and education who may have reason to attend the meeting and seek more information; the description must be written in plain English in approximately 20 words; the agenda must inform the public whether an item is "for discussion" or "action"; only items on the agenda may be discussed.

- Accompanying one page documents must be posted on the Commission website; the public must be informed where they can get copies of documents longer than one page.
- Boilerplate language must be found in the agenda, as referenced in the last two pages of every Telecommunications Commission agenda.
- Each person in attendance has the right to speak once for three minutes on each agenda item during "Public Testimony" and during "General Public Testimony"; time limits must be applied uniformly at each meeting; if an agenda item is continued to another meeting, the Chair may ask that people who spoke at the previous meeting not speak again; persons have the right to remain anonymous.
- A meeting occurs whenever a majority of the members of a policy body come together at the same time and place, such as in a retreat and at meals; Telecommunications Commission business must not be discussed at social gatherings; a quorum (3) is required to hold a meeting and a majority must be present to take action.
- Passive meeting include: social, recreational or ceremonial occasions sponsored or organized by or for a policy body to which a majority of the body has been invited; no agenda/notice need be posted, and there is no public comment.
- A seriatim meeting occurs when a majority of the members or their aides communicate outside of a public meeting through a series of communications; it is acceptable to call members of a policy body to discuss procedural items, such as setting agendas, scheduling meetings, and transmission of materials for the meeting.

Recess for 5 minutes.

c) Commission Meeting Topics for 2003

President Bogen said that the Commission Secretary assembled the topics received from each of the Commissioners into a list of topics for 2003, a list of topics for 2003 from DTIS, and the list of topics for 2002. Prior to addressing the topics for discussion for 2003, she asked Executive Director Loeven to address the request from the Board of Supervisors (BOS), then asked Heidi Sieck, Policy Analyst, DTIS to present the DTIS topics, followed by the Commissioners.

Executive Director Loeven informed the Commission of the following:

- Supervisor Sandoval is interested in dark channels and upstreaming;
- Supervisor Hall introduced legislation during roll call on December 16, 2002 to turn the RCN franchise into an open video system, and referred this issue to the Telecommunications Commission to hold

a hearing and to make a recommendation to the BOS in 60 days from the date of introduction, and DTIS was also asked to provide recommendations on the open video system in 60 days;

- The Planning Commission had a hearing regarding the wireless cell site guidelines and Executive Director asked the Telecommunications Commission for its feedback on this issue. Deputy Director Brady said that in the past the Planning Commission sought input from the Telecommunications Commission and DTIS. President Bogen stated that in the Telecommunications Plan there are policy guidelines on this issue that could be helpful. Commissioner Daluvoy suggested that there should be a discussion between the two Commissions since both Commissions undoubtedly have different policies and priorities.

Executive Director Loeven recommended that the RCN open video system be put on the next agenda (January 27, 2002).

Deputy Director Brady and Brian Roberts stated that Supervisor Ma will be sending a request to DTIS regarding nonprofit participation in public access.

President Bogen designated Commissioner Daluvoy to work with DTIS on the RCN open video system and formulate how the Commission will respond to Supervisor Hall's request.

Commissioner Inadomi said it would be helpful to receive communications from BOS on issues of interest and concern to the Board and indications how the Commission might address those issues. President Bogen stated that the Commission would like to have a member of the Commission work with the BOS.

The attached PowerPoint presentation was given by Heidi Sieck, Policy Analyst, DTIS, Policy, Planning and Compliance Division. The following is a summary of DTIS Topics for 2003:

DTIS Topics 2003

1. Renewal of Franchise
2. Telecommunications Plan Update
3. PEG
 - a. Digital "dark" channels
 - b. Upstream sites

4. Street Furniture

5. RCN

Telecommunications Commission Topics 2003

Each of the Commissioners stated their 4 topics of priority for 2003. The following is a synthesis of the Telecommunications Commission Topics 2003. President Bogen designated Commissioners to act as liaison on each of the topics.

| | Topics | Commission Contact |
|---|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 1 | Telecommunications Plan Update a. Assessment/Modularize b. Broadband c. New Technologies d. Disaster Preparedness | Beth Inadomi and J. Michael Myatt |
| 2 | PEG a. Digital "dark" channel b. CTC report c. Upstreaming | Michael Rouan |
| 3 | Franchise Renewal | Kim Bogen |
| 4 | Competitive Policy a. Alternative Providers to Cable b. Broadband c. RCN | Sunil Daluvoy and Michael Rouan |

Executive Director Loeven stated that he, President Bogen, and the Commission Secretary will create an agenda schedule for year 2003 of the topics of priority listed above, which will then be sent to the Commissioners for their feedback.

President Bogen stated that the agenda, minutes, and supporting documents will be sent a week before the meeting date.

Executive Director Loeven suggested that when a Commissioner asks for a report on a topic it can become part of the Director's or Deputy Director's Report; if more extensive information is sought, President Bogen will decide when the topic will be entered as an agenda item in a future meeting.

Executive Director Loeven acknowledged that the Commission is an asset to DTIS and the City. Deputy Director encouraged the Commissioners to call the staff at Policy, Planning and Compliance Division for information.

4. GENERAL PUBLIC TESTIMONY

None.

5. ADJOURNMENT

President Bogen adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Helen C. Danina



Department of Telecommunications and Information Services (DTIS)

Priority Topics and Projects for 2003
Policy, Planning & Compliance Division

PRIORITY PROJECTS

1. Franchise Renewal
 - Community Needs Assessment
 - New Franchise Development
2. Telecommunications Plan Update
3. PEG Issues
 - Additional 18MHz (dark channels)
 - Upstream Sites
4. Street Furniture Policy

PENDING PROJECTS

- Competitive Franchises
- Enterprise Policies
- 311 Non-Emergency Number

Priority One: Franchise Renewal

- Governed by federal Cable Act, San Francisco Administrative Code Section 11, and terms of franchise
 - Current AT&T franchise expires Dec. 31, 2005
 - Notification of renewal as early as Dec. 31, 2002
 - Thirty-six months (36) months to adopt new franchise
1. Community needs assessment within six months of notice
 2. Performance review within six months of notice
 3. DTIS recommendation to Board of Supervisors

Priority One: Franchise Renewal

- Community Needs Assessment
 - Create a steering committee
 - Conduct telephone surveys (subscribers and non-subscribers)
 - Educate community (focus groups/roundtables)
 - Develop media coverage strategy
 - Consider external resources (engineering, e-government, etc.)

Priority One: Franchise Renewal

Community Needs Assessment Costs

- Up to \$100,000 external costs
 - phone survey, focus groups, outreach public meetings
- Excludes internal costs
 - staff time, materials, Commission time, etc.
- Obvious budget challenges

FRANCHISE FYI

Unilateral Amendments

- AT&T Comcast Franchise Section 29
- Six month window every three years (12/1/02)
- Commission recommends amendments to the Board of Supervisors
 - Advances in technology
 - Demonstrated community needs
 - Substantive in nature
 - No PEG

PRIORITY TWO: Telecommunications Plan Update

- Update due to Board of Supervisors Fourth Quarter 2003
- Self assessment – using available resources
- Identify necessary modifications

PRIORITY THREE: PEG Issues

- New Bandwidth
 - Consult with cable engineers
 - Reconvene PEG channel working group
 - Solicit proposal
 - Consider available surveys
 - Perform analysis
 - Make recommendations
 - Report actions to Board of Supervisors and Mayor
 - Oversee implementation

PRIORITY THREE: PEG Issues

- Upstream Sites
 - Establish site criteria
 - Perform site ascertainment
 - Solicit proposals
 - Negotiate shared use agreement
 - Make recommendation to Commission
 - Report actions to Board of Supervisors and Mayor
 - Oversee construction

PRIORITY FOUR: Street Furniture

- Administrative Code requirement
- Develop recommendation
 - Department of Public Works
 - Planning Commission
 - Planning Department
 - New Transportation Commission
 - Department of Parking and Traffic
- Not necessarily high priority

PENDING PROJECTS

- Competitive Franchises
- Enterprise Policies
- 311 Non-emergency Number

CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO

Please note that the regular meeting of the Telecommunications Commission for
Monday, December 23, 2002, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

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NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, January 27, 2003, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There are three action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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JAN 27 2003

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2) APPROVAL OF THE MINUTES

a) October 28, 2002 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the October 28, 2002 regular meeting.)

- Adoption of the Minutes – October 28, 2002 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

b) December 16, 2002 Special Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the December 16, 2002 special meeting.)

- Adoption of the Minutes – December 16, 2002 Special Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven)

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **PEG**
 - CA Channel, capacity, and upstream sites
- **E-Government**
- **Recent Events**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

- a) Consider whether to Recommend that the Board of Supervisors deny or approve with Conditions RCN's OVS Proposal**

ACTION ITEM

(There is a handout associated with this item.)

- **Report by Brian Roberts, DTIS, Policy Analyst**
- **Presentation by David Hankin, RCN**

- Public Testimony
- Commissioners' Comments

b) Telecommunications Plan Update Schedule
(There is no handout associated with this item.)

FOR DISCUSSION ONLY

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission will meet on February 24, 2003 at City Hall, Room 400, 5:30 p.m.
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
 - Public Testimony
 - Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the January 27, 2003 Commission meeting;
2. Draft minutes of the October 28, 2002 regular meeting;
3. Draft minutes of the December 16, 2002 special meeting
4. Deputy Director's report;
5. Report on RCN Open Video System Proposal;
6. RCN Open Video System Application;
7. Frequently Asked Questions – Unused Channel Capacity;
8. Frequently Asked Questions – Upstream Sites;
9. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

December 1, 2002 – January 21, 2003

1. E-mail received from cable subscriber asking the Telecommunications Commission to review monopolistic communications practices by AT&T in San Francisco.
2. Copy of letter addressed to Ed Harrington, Controller, City and County of San Francisco, received from Linda Crayton, Director of Franchising and Government Relations, AT&T, stating that a check for \$495,000 required for operating expenses for the Public Education and Government (PEG) channels was sent to the Controller of the City and County of San Francisco on January 13, 2003.
3. Copy of letter addressed to Ed Harrington, Controller, City and County of San Francisco, received from Linda Crayton, Director of Franchising and Government Relations, AT&T, stating that a check for \$25,000 was included for Cable Facilities Capital Grant.
4. Copy of letter with attachments to the Federal Communications Commission from Rural California Broadcasting Corporation, licensee of KRCB-TV, Cotati, California, requesting carriage of all AT&T cable systems served by the AT&T headend located at Mt. Sutro in San Francisco, California.
5. E-mail received from AT&T cable subscriber stating how difficult it is to report outages to a customer service representative.
6. E-mail received from AT&T cable subscriber regarding the rebuilt plans in his neighborhood to enable broadband access via cable modems.

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SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

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NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, February 24, 2003, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) APPROVAL OF THE MINUTES

January 27, 2003 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the January 27, 2003 regular meeting.)

- Adoption of the Minutes – January 27, 2003 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Telecommunications Plan Update

FOR DISCUSSION ONLY

- **Vision of telecommunications technologies and markets**
- **Wi-Fi presentation**
- **Disaster preparedness briefing**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission will meet on March 24, 2003 at City Hall, Room 400, 5:30 p.m.

- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the February 24, 2003 Commission meeting;
2. Draft minutes of the January 27, 2003 regular meeting;
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

January 25, 2003 – February 10, 2003

1. Cable subscriber feels the latest increase in monthly fees by AT&T cable service is too much for the number of channels received.
 - DTIS analyst responded to the cable subscriber's concern.
2. Cable subscriber of RCN is disappointed that the cable company does not carry channels 27 or 29 (public access channels).
 - RCN is working with the City to resolve this problem.

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

January 27, 2003

CITY HALL

**ROOM 400
5:30 P.M.**

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

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Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Michael Rouan

Absent: Commissioner Elizabeth Inadomi

2. APPROVAL OF THE MINUTES OF October 28, 2002

Vice President Myatt made a motion, seconded by President Bogen, to approve the minutes of October 28, 2002. The Commission moved to adopt the minutes with four ayes [Bogen, Daluvoy, Myatt, Rouan]; none opposed.

Public Testimony – none.

Commissioners' comments – none.

b. Approval of the minutes of December 16, 2003

Vice President Myatt made a motion, seconded by President Bogen, to approve the minutes of December 6, 2002. The Commission moved to adopt the minutes with four ayes [Bogen, Daluvoy, Myatt, Rouan]; none opposed.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public Testimony – none.

President Bogen asked the Commission Secretary to report back to the Commissioners regarding correspondence numbers 5 and 6 under "Communications Page" of the January 27, 2003 agenda. She and Vice President Myatt will discuss with the Executive Director and the Deputy Director about producing a quarterly or semi-annual report on how the complaints are resolved.

3. DIRECTOR'S REPORT

National Association of Telecommunications and Advisors (NATOA)

Executive Director Loeven noted that Denise Brady, Deputy Director of DTIS is

successfully bringing the 2004 National Association of Telecommunications and Advisors (NATOA) conference to San Francisco. The NATOA conference will reserve a minimum of 1,500 hotel rooms in San Francisco for telecommunications industry leaders and local, state and federal telecommunications experts.

PEG

a. California Channel

Comcast, formerly AT&T Broadband has informed DTIS that as of February 19, 2003, the California Channel programming will be moved from Channel 29 to Channel 33. This will allow the public access channel to operate 24 hours a day 7 days a week. San Francisco Community Television Corporation is extremely pleased with this news and will operate the public access channel full time as of that date.

Executive Director Loeven recognized Linda Crayton, for her diligence in finding a solution to this difficult challenge.

b. Upstream Origination Sites and Unused Channel Capacity

On December 17, 2002 two sets of responses to inquiries were sent to the Commissioners from the Board of Supervisors on behalf of Supervisor Sandoval regarding upstream origination sites and unused channel capacity. Included in the Commission meeting packet of January 27, 2002 are two documents regarding upstream origination sites and unused channel capacity which will be updated periodically.

E-Government

a. Annual Reports Posted On-Line

In order to make the City government more efficient, the Board of Supervisors amended the Administrative Code last week to require all departments, boards and commissions to post their annual reports on the City's website; with some exceptions hard copies are prohibited.

b. SF Prospector

SF Prospector is the City and County of San Francisco interactive internet mapping application that provides enhanced services to the business community by allowing users to search for available commercial buildings and sites. It can also generate site specific demographics and business analysis reports. SF Prospector will expedite and simplify the process of finding locations for businesses in San Francisco by providing a range of valuable information, including: demographics; active businesses by type in the vicinity of an available property; transit lines,

schools, parking garages; and available sites in enterprise zones. During these difficult economic times, SF Prospector helps bring businesses to San Francisco.

Recent Events

The Executive Director sent correspondence to the Department of City Planning to call attention to the Telecommunications Plan for planning telecommunications related issues.

The Executive Director recognized the DTIS Technology Operations for Public Safety Support (TOPSS) Division which was created in October 2002 to support the City public safety community. At its inception, there were more than 150 help tickets, whereas last week there was one.

Public Testimony: None

Both Commissioners Daluvoy and Myatt endorsed the SF Prospector project, which can be accessed on: <http://www.sfgov.org/sfprospector>

5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady highlighted the following topics:

- On Wednesday, January 8, 2003, newly elected and re-elected members of the Board of Supervisors were sworn in and the eleven member body then selected a new president. Two new Supervisors -- Bevan Dufty and Fiona Ma -- joined their colleagues and elected Supervisor Matt Gonzalez as President of the Board of Supervisors;
- Governor Davis appointed current California Public Utilities Commission (CPUC), Commissioner Michael Peevey as the new President, and appointed State Cabinet Secretary Susan Kennedy to the Commissioner position vacated by Henry Duque.
- Loretta Lynch steps down as President but will remain a CPUC Commissioner.
- Jonathan S. Adelstein was sworn in as the fifth Federal Communications Commission (FCC) Commissioner on December 3, 2002 after many months of confirmation hearings in the Senate.
- Sen. John McCain (R-AZ) became chair of the Senate Commerce Committee last week and has expressed interest in re-regulating cable rates and broadband deployment.
- Sen. Conrad Burns (R-MT) assumed chairmanship of the Subcommittee on Communications and is considered a supporter of incumbent local telephone companies. Sen. Burns specific priorities include E-911, spam control, tax incentives for broadband build-out, universal service reform, and spectrum reform, among other things.

6. NEW BUSINESS

a. Consider whether to recommend that the Board of Supervisor deny or approve with conditions RCN's OVS Proposal

Executive Director Loeven stated that at the December 16, 2002 meeting of the Board of Supervisors, Supervisor Tony Hall introduced two items, one requested the Telecommunications Commission to analyze RCN's Open Video System (OVS) Franchise Proposal and report back to the Board by February 13, 2003. The other requested DTIS to analyze the issue and report back by the same due date. DTIS has prepared a preliminary report by Brian Roberts to assist the Commission in its consideration of the RCN proposal.

Sean Elsbernd, Supervisor Tony Hall's legislative aide, stated that Supervisor Hall wants a policy recommendation from the Telecommunications Commission on RCN's proposal. There will be a Committee hearing on this item before the February 24, 2002 meeting of the Telecommunications Commission. The Board of Supervisors cannot take final action on Supervisor Hall's introduction of the item until 90 days after the date of its introduction (12-16-02).

Brian Roberts, DTIS Senior Analyst, presented the following preliminary report on RCN Open Video System (OVS) Franchise Proposal focusing on the following policy issues regarding the relief of construction:

Context

- RCN was originally granted a 15 year franchise in October 2000;
- RCN applied for an OVS franchise on November 1, 2002;
- Supervisor Hall requested that DTIS and the Telecommunications Commission report on OVS proposal by February 13, 2003;
- Report does not address legal issues;
- Report focuses on the core issue: relief of construction requirements.

How is OVS different from cable?

- Open Video system is a regulatory classification created by Telecommunications Act of 1996;
- Intent: facilitate entry by telecommunications carriers to multi-channel video (aka cable) market;
- Exempts OVS from some cable regulations, applies others;
- OVS must make 2/3 of capacity available to unaffiliated providers.

RCN's Proposal

- To convert its existing cable franchise to an Open Video System franchise;
- Construction related requirement
 - construction schedule
 - minimum mileage

- joint excavation
- Other modifications: franchise fees on data services, local origination, and others;
- Many aspects remain the same.

Competition in Video/Cable Market

- Telecommunications Plan
 - supports choice for advanced services, and
 - directs City department to facilitate entry
- FCC report on cable industry prices
 - cable carriers charge less where they face competition
 - competition from wireline carriers has more impact than competition from satellite

RCN in San Francisco

- Passes 25,000 homes in Mission, Castro, Noe Valley, Bernal Heights and Potrero Hill areas
- Plans to activate 5,200 homes passed in first quarter 2003 in Excelsior, Crocker Amazon, Portola districts
- Serves about 2,000 customers
- Stopped building in second quarter 2002, activating previously built areas

RCN's investment and network growth have slowed nationwide.

RCN has limited resources

- Cash: \$351 million, down from \$1.7 billion at the end of 2000
- Debt: \$1.7 billion
- Net worth: negative \$2.2 billion
- Market cap: \$80 million
- New credit agreement puts restrictions on new building

Considerations

- Benefits to consumers: lower prices and improved service through competition
- Benefit to City: telecommunications facilities and services
- Ability to modify franchise before 2016
- Forestalling new entry

Options

- Recommend that the Board of Supervisors approve RCN's OVS proposal with conditions by amending or replacing existing franchise
- Recommend that the Board reject RCN's OVS proposal
- Commission would be speaking only to policy issues, no legal issues
- DTIS will complete report and prepare legislation to implement recommendation

Preliminary recommendation

- Approve with conditions RCN's proposal by replacing or amending RCN's existing franchise
- Conditions may be necessary to mitigate concerns
- Subject to public testimony and Commissioner comment

Scott Burnside, RCN Senior Vice President, Regulatory and Government Affairs, gave the following PowerPoint presentation. Attachment 1.

Commission Daluvoy invited Greg Rosston, Deputy Director, Stanford Institute for Economic Policy Research, to address the Commission. Dr. Rosston's talk focused on competition, equity, and consumer welfare. In his opinion competition is the best way to promote consumer welfare, and working with the market is the easiest path for the regulators. RCN's transition from cable franchise to OVS franchise involves competition and equity.

Competition

- Entry should be rapid and strong;
- Competition, not only in video, but telephone and broadband internet as well, is the best way to promote consumer benefits;
- Competition benefits consumers through increased capacity, higher quality and financial gain;
- Competition shows that the City wants to expand services, whether in cable or OVS franchises;
- Change into the OVS franchise, would relieve RCN of having to construct facilities throughout the City, but some of their capacity must be made available to independent programmers;
- RCN proposes to serve the low-cost areas of San Francisco where the aerial cable is located;
- In an unregulated market firms who do not follow this strategy will be driven out of business;
- Competition in low-cost areas would provide benefits to citizens who would otherwise not be served;
- Entry of RCN OVS franchise will probably push Comcast to upgrade systems more rapidly and the City might have less difficulty in renegotiating the terms because competition will force them to upgrade;

- If the Commission decides to restrict RCN to its cable franchise, RCN may leave San Francisco;
- Competitive responses from AT&T Broadband/Comcast to RCN's offerings should be welcomed by the Commission because it may result in AT&T Broadband/Comcast pushing toward lower prices and more advanced services, which will benefit consumers;
- Some areas of the city may not benefit from the RCN OVS franchise; but, if RCN pulls out completely, they will not benefit either;
- The goal of the Telecommunications Act of 1996 is to induce competition in voice, video and data communications;
- Competitors should be encouraged even if there is limited pole space.

Equity

- If the City gives RCN the OVS franchise, AT&T Broadband/Comcast will expect special consideration in their cable franchise when it is time to renegotiate because RCN is able to develop the low-cost portion of the city and AT&T Broadband/Comcast is expected to develop the whole city;
- The OVS is meant to allow new entrants to compete with the cable systems;
- The requirements of the OVS franchise is to lease part of their system; it is doubtful that AT&T Broadband/Comcast will want to lease part of their system;
- The incumbent has other advantages, such as existing customer relationships, rights-of-way, and access to apartment buildings where managers may not want multiple wires entering the building.

At the request of President Bogen, Linda Crayton, Director of Franchising and Government Affairs, AT&T Broadband/Comcast, said she welcomed competition. Since RCN has a cable franchise with the City and County of San Francisco, she is perplexed about RCN's OVS proposal. If the RCN's OVS proposal is expedited without due regard for the level playing field statute, the City may be at a disadvantage in franchise renewal discussions because AT&T Broadband/Comcast may ask for equal treatment. RCN must assure the Commission that the City is not exposing itself to financial and legal harm. In other cities RCN has requested to switch from a traditional cable franchise to an OVS franchise and has been denied for a number of reasons.

The following persons spoke during public testimony:

Neils Erich is a resident of San Francisco, and a user of cable, broadband, phone, and wireless services. He is the former Chair of a task force at San Francisco Planning and Urban Research on telecommunications policy from 1996-2000 that submitted comments on RCN's original application. He supports RCN's OVS proposal because this would accelerate cable, phone, and broadband competition in San Francisco and provide telecommunications consumers with expanded service and choice at lower rates in traditionally underserved parts of the city. The proposal has the potential to add channels, improve signal quality, bundled services, and reduce prices.

Neils Erich believes that the large project is on track. RCN is a facility-based competitor in San Francisco offering phone, television, and broadband internet service. It has made a significant investment in underground and aerial infrastructures and started to pay franchise fees before signing up any customers. RCN's ability to control costs and obtain financing depend upon an assurance that it will not be held in non-compliance if it cannot complete the costliest parts of San Francisco network by a fixed date in an uncertain market. Its overall commitment to provide an 860 MHz system, city dedicated infrastructure, PEG and community grants, and the maximum amount of franchise fees remain the same. Under the proposed OVS franchise, many low income neighborhoods in San Francisco are the most desirable for cost-effective development. Probably the Federal Communications Commission (FCC) will repeal or sharply restrict local phone and broadband competition from resellers. FCC Chairman Michael Powell has said that telecom providers must invest in facilities. In densely populated San Francisco, the cost of overbuilding is enormous, and the telecommunications market has experienced a decline that was not foreseen when RCN signed its franchise in 2000. City inflexibility now would discourage new entrants. He urged the Commission to recommend approval of the RCN OVS franchise.

Ed Tansev, a real estate developer who constructed two large buildings, cited difficulties with AT&T. RCN, however, was willing to put underground wiring into his buildings, and he also incurred savings by buying internet, television, and telephone. There are two nodes for 200 units and no slow downs. In addition, the Department of Public Works requires companies who use pole space to install expensive support structures. He believes there is no competition in San Francisco, and urges the Commission to help RCN. Even though RCN has a small staff, customer complaints are infrequent and resolved quickly.

Steve Zeltzer, Vice Chair, Producers and Programmers Network of San Francisco, and Director of Labor Video Project stated that monopolization and fewer alternatives for San Francisco citizens are effects of the Telecommunications Act of 1996. He said the City should force AT&T Broadband/Comcast to wire the entire city because it is part of the contract. He does not want the streets of San Francisco to be torn up to provide for two companies with similar services. If RCN leaves San Francisco because the OVS franchise is not approved, then the City should run the franchise. He urges the Commission to require the companies to meet their commitments or the City should manage the franchises.

Tony Kelly, a resident of Potrero Hill, stated that since he switched to RCN in May, he has been satisfied with their service and responsiveness to customer complaints. The Potrero Hill area has three cable companies to choose from -- AT&T Broadband/Comcast, SBC, and RCN. Customers profit from competition. RCN also participates in community activities, such as street fairs, merchant association meetings, community events in the neighborhood. He has never seen this level of attention and commitment to serving San Francisco. He urges the Commission to recommend that the Board of Supervisors approve the proposal.

Karl Bryant is Treasurer of Producers and Programmers Network of San Francisco, and producer of "Letter Carriers Today" on community access television. He believes that competition causes problems and asks whether consumers will benefit if RCN goes out of business, whether consumers will benefit if the City takes over, whether his television show in San Francisco will be affected, and whether RCN will contribute to community access.

Recess

Commissioner Rouan asked whether cable franchises have been switched to an OVS franchise. Bob McCarthy replied that RCN was able to switch from cable franchise to an OVS franchise in Boston.

Bob McCarthy distributed to the Commissioners and discussed a map of RCN deployment areas in Boston, Washington, D.C., and San Francisco. See attachment 2.

He stated that RCN has never been refused an OVS application where one has been filed. An OVS application was filed with Boston, with San Francisco, and they are presently in discussion with Chicago about converting a franchise into an OVS. RCN applied for an OVS franchise for San Francisco on November 1, 2002. Bob McCarthy said that in 1998, RCN received authorization from the FCC to file for an OVS application in San Francisco, but chose not to file at that time when DTIS indicated that an OVS franchise would not be received favorably because there were no rules and regulations for an OVS franchise in the Administrative Code. Subsequently, Deputy Director Brady, working with former Supervisor Kaufman and the City Attorney's office, amended the Administrative Code to include provisions for an OVS franchise.

Commissioner Rouan asked whether there was any support for PEG. Bob McCarthy stated that in the existing franchise agreement, 1.5 to 1.6 million dollars are paid for PEG channels. Furthermore, RCN has agreed to pull two strands of dark fiber for the City's public buildings located in the build areas.

Some points made by the Commissioners are:

- Competition is encouraged;
- Success by RCN will benefit the residents of San Francisco, the City and County, and economic development.

President Bogen asked Bob McCarthy about RCN's financial challenges and relief from its current franchise agreement. Bob McCarthy said no guarantees can be given. For the past 18 months, the company has been cutting costs and refinancing.

President Bogen thanked Supervisor Hall's office for asking the Telecommunications Commission to make a policy recommendation. Supervisor Hall requested the following information:

To analyze the ordinance in File No. 021825 RCN OVS Franchise Proposal) and report back to the Board of Supervisors within 60 days from today (12/16/02).

President Bogen stated that the proposed modifications are to (1) allow RCN to preserve its capital, (2) allow the company to improve its operating efficiency, and (3) allow the capital markets to revise their negative outlook on the telecommunications industry in general and RCN in particular. RCN has obtained an OVS application for San Francisco from the FCC in November 2002. She was disappointed that the RCN's application focused on its financial challenges rather than the delivery of service to the residents of San Francisco. She is also leery when the Commission discusses policy recommendations with respect to a provider in the City and County that has not met its initial obligations. She also wants competition to be fair, and giving relief from an agreement that has been negotiated gives her concern when it is presented as competition. Further, the Telecommunications Commission cannot go into legal ramifications or issues. The first goals in her mind are that consumers will have a choice of advanced and affordable communications and that RCN will deliver those services in a timely fashion.

In the discussion leading to a motion, the Commission asked DTIS to write and distribute a final policy report to the Board of Supervisors on or before February 13, 2003 that addresses the following considerations:

- If the City grants RCN's request to switch to an OVS franchise there is no opportunity for the City to revisit the company's obligations until 2016;
- There were concerns regarding local origination;
- Theoretically, RCN's presence may forestall others from entering the market.

President Bogen moved -- seconded by Commissioner Myatt -- to adopt the following motion as crafted by the Commission:

After considering the preliminary report prepared by DTIS and taking into account public testimony, as a matter of policy and as a policy recommendation only, the Telecommunications Commission recommends to the Board that it approve the RCN proposal, subject to the considerations raised in the final report prepared by DTIS and to be delivered to the Board of Supervisors and Telecommunications Commission by February 13, 2003.

The Commission moved to adopt the motion with four ayes [Bogen, Daluvoy, Myatt, Rouan]; none opposed.

b. Telecommunications Plan Update Schedule

Commissioner Myatt recounted that after the special meeting of December 16, 2002, he met with Commissioner Inadomi to define the scope and schedule of a proposed Telecommunications Plan Update. Commissioners Myatt and Inadomi invited Brian

Reports to join them in defining a schedule of the final Telecommunications Commission Update to be delivered to the Board of Supervisors next fall. Technical agenda items on each Telecommunications Commission meeting will start in February 2003 so as to make appropriate upgrades to the current Telecommunications Plan.

Public testimony: none.

7. Calendar Matters

The regular meeting of the Telecommunications Commission will occur on February 24, 2003 at City Hall, Room 400, 5:30 p.m.

Public testimony: none.

Review of Telecommunications Commission Pending Topics List.

Public testimony: none.

President Bogen asked that the "Pending Topics for 2003" be posted on the Telecommunications Commission website.

8. General Public Testimony

Public testimony: none.

9. Adjournment

President Bogen adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Helen C. Danina

**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

February 24, 2003

CITY HALL

**ROOM 400
5:30 P.M.**

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

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**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: Vice President J. Michael Myatt

2. APPROVAL OF THE MINUTES OF January 27, 2003

The following spoke during Public Testimony:

Steve Zeltzer, Vice Chair, Producers and Programmers Network of San Francisco, disapproved of the Telecommunications Commission vote in favor of the RCN issue (1-27-03 agenda). Further, he stated that Paul Allen, owner of RCN, is worth 21 billion dollars and should spend the money to carry out the franchise agreement instead of changing it. Zeltzer also believes the City should be running the RCN and the rest of the cable system.

Commissioner Inadomi requested to abstain from voting on the January 27, 2003 minutes, because she was not present. Acting President Bogen made a motion, seconded by Commissioner Rouan, to exempt Commissioner Inadomi from voting on the adoption of the January 27, 2002 minutes. The Commission moved to grant Commissioner Inadomi an abstention with three ayes [Bogen, Daluvoy, Rouan]; none opposed.

President Bogen made a motion, seconded by Commission Rouan, to approve the minutes of January 27, 2003. The Commission moved to adopt the minutes with three ayes [Bogen, Daluvoy, Rouan] and one abstention [Inadomi]; none opposed.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda. The Commission Secretary stated that the cable subscribers concerns listed in the January 27, 2003 and February 24, 2003 agenda were resolved either by DTIS staff or Comcast Customer Service Representative.

Public Testimony – none.

4. DIRECTOR'S REPORT

Executive Director Loeven reported on E-government and Enterprise E-mail System:

E-government

- In 2002, the SFGOV web site served over 42 million page views to 1.6 million visitors.
- In 2002, more than ten thousand SFGTV web streams of Board of Supervisors and committee meetings were requested;
- More than \$4.5 million in taxes and fees were collected on the SFGOV web site as part of the Online Services initiative;
- In 2002, transactions made on the City's web site grew by 350% compared to 2001;
- Citizens are able to pay parking tickets and property taxes online, and businesses can pay their payroll taxes and renew their business registration on the web. More of these popular services are planned in the next months.

Executive Director Loeven expressed hope that the Telecommunications Commission will explore opportunities to improve the City's telecommunications strategies and E-government solutions. Further, SFGTV recently developed bulletins to advertise the availability of these services on the City cable channel 26. In addition, SFGTV is producing Public Service Announcements to increase awareness of these ways to do business in the City.

Enterprise E-mail System

- Of approximately sixty-two departments in the City, 75% are converted to the enterprise e-mail system, and five departments are currently converting.

Public testimony: none.

Commissioner comments: none.

5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady highlighted the following topics:

- At a February 20, 2003 meeting, the Federal Communications Commission (FCC) adopted changes to the rules effecting the requirements of incumbents to unbundled switching and fiber-to-the-home facilities as well as no longer offering line sharing to DSL competitions;
- The decision to keep the unbundled network element platform (UNE-P) was contested – the rule allows competitors to lease all of the elements needed to provide local service as a package from the incumbent at discounted prices without providing any network functions themselves;
- States were given extensive rights to determine whether competition is curtailed because of the availability of particular unbundled elements,

creating potentially 50 different engineering structures for telecommunications companies.

The following spoke during public testimony:

Zane Blaney, Executive Director, San Francisco Community Television Corporation, said that the San Francisco cable franchise requires that there be a 24/7 public access, and asked when California Channel going to be removed from public access. Also, on February 19, 2003, the digital 24/7 programming began at the public access location, 1720 Market Street. Without any means of monitoring the digital system which reaches fewer than 20% of viewers, he doubts that cable producers would be interested in producing shows for this system.

Steve Zeltzer, Vice Chair, Producers and Programmers Network of San Francisco, stated that the above is an example of cable operator contempt for the City. The cable operator agreed to remove the California Channel from public access. He asks that the Commission adopt a resolution that it be removed, and that the Commission should send a letter to the City Attorney urging suit.

President Bogen stated that the speakers introduced a topic -- the California Channel -- not listed on this agenda, which restrains the Commissioners from responding. Therefore, President Bogen instructed that the topic can either be referred to during "General Public Testimony" portion of this agenda, or added as an agenda item at another time, but no discussion by the Commissioners can take place at this time.

6. NEW BUSINESS

Commissioner Inadomi said that she and Commissioner Myatt are charged with updating the Telecommunications Plan that was adopted by the Mayor and Board of Supervisors as the City's Telecommunications Plan. The current Plan can be found on http://www.sfgov.org/site/telecommunications_commission_index.asp?id=4380. The present Telecommunications Commission is charged with updating the Plan after public participation, and possibly amending the Plan by the end of 2003. Various aspects of the Plan will be reviewed at the Commission meetings during 2003. At the present meeting disaster preparedness/E911 and emerging wireless internet access technologies will be discussed.

Disaster Preparedness and E911

Dan Sullivan was appointed Acting Executive Director of Emergency Communications Department (ECD) on July 2002 by Mayor Brown. Before that he had 18 years in public safety experience serving in the San Francisco Fire Department and San Francisco Police Department.

Acting Executive Director Sullivan reported the following:

- Prior to November 2000 all initial 911 calls, screenings, and police dispatches were received at the Hall of Justice. Calls for fire and emergency medical services (EMS) were transferred to the Fire Department dispatch center.
- Disaster preparedness needed an Emergency Operations Center (EOC) under unified command structure where MUNI, school districts, Department of Parking and Traffic, police, fire, sheriff, purchasing and finance are directed by the Mayor to work collectively.
- In 1994, the voters approved Proposition B, a 167 million dollar bond measure enabling 911 capital improvements. The technological improvements of the bond measure include:
 - 800 MHz radio system,
 - computer aided dispatch system (CAD),
 - telephone system encompassing technology for the hearing and voice impaired,
 - AT&T language links provided translations in 144 languages with an overall connection time of 12 seconds. The five most-frequently used languages are: Spanish, Cantonese, Mandarin, Russian, Vietnamese,
 - combined communications center consolidate all 911 calls/dispatches,
 - creation of ECD.
- ECD receives half of the ten thousand 911 wireless cell phones calls made each month, and the highway patrol receives the other half.
- ECD has an operating budget of \$35 million, and receives 3,600 911 calls a day.
- ECD is working toward reducing non-911 calls -- such as, abandoned vehicles, potholes, vandalism, cars parked in driveways -- through their web page, education outreach programs, public service announcements, community events and fairs.
- DTIS and ECD are working together to develop a 311 non-emergency call center
- In collaboration with the Mayor's Office, ECD, Police, Treasurer, and DTIS, the Board of Supervisors passed the Police Emergency Alarm Ordinance to:
 - Reduce the number of false alarm calls received at 911 center, thus promoting \$1,000,000 in annual revenue savings;
 - Encourage property owners to maintain alarm systems in good working order.
- Civilian public safety dispatchers now answer calls for medical and fire suppression assistance, returning 46 firefighters to their fire station assignments.
- In order for ECD to fulfill its mandate, fire/emergency medical services personnel are being trained and hired.
- In May 2003, ECD will oversee the repair and activation of automatic vehicle locators (AVL) in all fire department ambulances. This will allow the dispatch computer to automatically identify the closest ambulance to a medical emergency.
- ECD has developed its own Policy and Procedures Manual.

New Technologies in Telecommunications

Commissioner Inadomi introduced the following speakers:

- Maya Draisin, Executive Director of the International Academy of Digital Arts and Sciences and President of the Webby Awards;
- Tim Pozar, Communications Consulting Engineer, who specializes in commercial microwave path and tower engineering for government. He is a founding member of the Bay Area Wireless User Group along with Matt Peterson;
- Terry Schmidt, leading expert on wireless networking technologies and applications. He is the co-founder of New York City wireless, a non-profit organization that provides free wireless internet service to mobile users throughout the New York City Metropolitan Area;
- Eugene Chan Program Officer with the Community Technology Foundation of California, a nonprofit organization committed to bringing technology, and opportunities to underserved communities.

Maya Draisin

Ms. Draisin gave an overview of new telecommunications technologies and how they affect cultural, social, and economic issues. She has participated in such diverse international events as the Doors of Perception in Amsterdam, The Internet Conference in Seoul, The Future Film Festival in Bologna, and one at the Stanford Linear Accelerator Center.

Ms. Draisin's presentation focused on how the web has changed the way people, communicate, work, and live. She said that technology needs to give the 500 million people who are online a more accessible broadband and wireless network for less cost, and that more training and education on web literacy should be made available. She stated that U.S. lags behind in broadband penetration compared to S. Korea, Taiwan, and Hong Kong – 16% compared to 35%. More information can be found on: <http://www.webbyawards.com/main/>

Terry Schmidt

The mission of NYC Wireless is to provide wireless in public spaces. It is an education advocacy group working on emergency communications after 9/11. In 2002, they launched a free public network at Bryant Park. On peak days, there are 40-60 users per day.

NYC Wireless is also working with the New York City Council on citywide broadband policy on legislation and telecom franchises. Some future projects are being planned in Union Square Park, Riverside Park, and Central Park. Digital divide issues in South Bronx are being discussed with the New York City Council.

Tim Pozar and Matt Peterson

The Bay Area Research Wireless Network (BARWN) founded by Tim Pozar and

Matt Peterson gave an introduction to 802.11 and community wireless networking, available at: <http://www.barwn.org>

- 802.11/Wifi/Wireless Local Area Network is equivalent to a wired LAN at very low cost.
- It is used in offices, homes, point to point office links, cafes, restaurants, airports, and hotels.
- Wireless ISP is popular in the midwestern United States and third world countries where broadband infrastructure does not exist or is too costly.
- It is popular with grassroots community networks.
- Last mile cost is \$0.
- Traditional telecom infrastructure does not need to be involved.
- Networks do not have to connect to the Internet.
- Community networks help get people into their neighborhoods to meet and help each other participate.
- In addition to terminals in libraries, it extends the efforts of the city to provide Internet access to areas that do not have access to DSL.
- 802.11 is a fast network.
- Parallel infrastructure is ideal for backup emergency communications.
- Can be utilized in emergency conditions.
- A citywide community network, such as the Palo Alto's fiber ring, promotes business and competition because anyone can participate and offer services.
- Recently the FCC ruled that copper for the last miles does not need to be regulated.
- Encourages commerce as tourist and visitors will likely stay in San Francisco if a public network is available.
- Also encourages park use and benefits business surrounding the parks.
- Experimental for public and commercial use, such as feeding public access content and art pieces to cable access channels.
- Provides better access to the community for news reporting.

Eugene Chan

- Community Technology Foundation of California is a community advocacy and coalition building effort that resulted in the partnership between SBC and 134 community agencies during the merger between SBC and Pacific Telesis. The City and County of San Francisco played a key role in this effort.
- Its mission is to bring basic and advanced telecommunications and information technology to underserved communities throughout California. During the past three years, the Foundation has invested over \$15 million in almost 299 community technology programs through general grants, strategic initiatives, public policy, advocacy, and seminars.
- The Foundation is beginning to see requests from nonprofits to use wifi and wireless networking in innovative ways.

- Digital is not narrowing if one examines the disparity between those at the bottom of the technology ladder and those at the top. Research demonstrates that the gap between broadband users and narrowband users is directly connected to income and class.
- Wifi is affordable and cost effective, which is critical for the nonprofit sector.
- Wifi is flexible and easy to implement and to use.
- Wifi is based on common standards.
- The following three examples show the impact of wireless networking:
 - Internet access and broadband is brought to the home by installing wifi networks in low-income housing developments and customizing specific portals that provide information on employment, health services, and education;
 - Telehealth and telemedicine work to provide video units that have wifi transmitters to allow patients and doctors to see and hear language interpreters during medical visits;
 - Wifi coupled with portable computers can help nonprofits create instant community technology centers;
 - Wifi also offers staff an ability to telecommute from the community and stay connected.

Recess

The following people spoke during public testimony:

Steve Zeltzer, Vice Chair, Producers and Programmers Network of San Francisco, and the Labor Video Project voiced concern that wifi is not connected to the community access channel in San Francisco. He stated that Comcast refused to place ads from the anti-war movement. He informed the public that a one-day conference entitled, "Access, Broadband and the Digital Future" is scheduled on April 5, 2003 at Stanford University, which will focus on wifi, protecting democracy on the Internet and broadband.

Craig Reid, a member of a local startup, stated that they are developing mission-critical technology for broadband wireless networks. They intend to bring this technology to public safety organizations. Since there is a high cost for free-service technologies, he suggests that monetary incentives be provided to private industries.

Commissioner Daluvoy stated that the City should encourage wifi market innovations. He asked Terry Schmidt from New York Wireless who pays for the services provided. Matt Peterson answered for Terry Schmidt that the businesses that surround the park not only pay to maintain the park, but pay for the T1 line as well.

But for the Bay Area, he and Mr. Pozar envisioned three user classes for this network:

- The initial class would receive internet access that is anonymous and free but with limited rate;
- The membership class would help pay for the centralized backbone of the

- infrastructure;
- The public safety and priority users would receive priority over the network and other users.

President Bogen said that the Telecommunications Plan was signed by the Mayor and adopted by the Board of Supervisors a year ago, thereby discharging one of the Commission's requirements stated in the Administrative Code. There is a requirement that the Plan be reviewed, revised, and updated every two years. These presentations are part of that effort. The Commission web site

http://www.sfgov.org/site/telecommunications_commission_index.asp?id=4379 lists the Pending Topics to be discussed and dates of the meetings. Commissioner Inadomi and Vice President Myatt are in charge of this effort, and can be contacted through the Commission Secretary regarding topics and speakers for future meetings. Today's presentations about wireless and wi fi are timely for the public/private alliance especially because of limitation of resources that the City and County of San Francisco is facing.

President Bogen asked Executive Director Draisin of the International Academy of Digital Arts and Science, what drives some of the new technologies. Ms Draisin answered: connection, simplicity of connection, mobility, and affordability.

6. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission will occur on March 24, 2003 at City Hall, Room 400, 5:30 p.m.

Public testimony: none.

Review of Telecommunications Commission Pending Topics List.

Public testimony: none.

7. General Public Testimony

Zane Blaney, Executive Director, San Francisco Community Television Corporation, said that he appreciated the efforts made by Denise Brady, Brian Wilson, and Linda Crayton to get CA Channel off the public access, but that he is concerned that the vast majority of cable subscribers do not have 24/7 public access. In response to Mr. Zeltzer's comment, SFCTC is connected to the Internet but is not streaming public access.

Gregory Richardson, President, Producers and Programmers Network of San Francisco, commented that they had requested a report regarding live shows from the recent Board meeting at SFCTC which has not been made available. He intends to take to the Board of Supervisors his concerns about the digital divide in the African American community that stems from the new technologies.

Craig Reid suggested two agenda items for future consideration. First, a dedicated public safety network is available using off-the-shelf equipment. Second, federal grants of one hundred to one million dollars are available for new technology initiatives.

President Bogen asked Executive Director Loeven, Zane Blaney, and Mr. Zeltzer to communicate with each other about the status of the California Channel.

President Bogen informed Rev. Richardson that the monitoring of SFCTC contract is listed in the Pending Topics for 2003 which will be scheduled in the months ahead, and to contact the Commission Secretary if there is a particular issue to be addressed.

She encouraged Commissioner Daluvoy to speak with Mr. Reid on matters regarding spectrum.

Commissioner Rouan asked Zane Blaney about the status of advance program listings at SFCTC. Zane Blaney replied that he received communications from Linda Crayton that the Comcast staff will visit 1720 Market Street to connect SFCTC in order to monitor the digital channel; Comcast is also working on the program guide issue.

Commissioner Rouan stated that the one-day seminar, "Access, Broadband and the Digital Future" will be held at Stanford University on April 5, 2003. For information call 415-282-1908, lvpsf@labornet.org

8. Adjournment

President Bogen adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, March 31, 2003, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) APPROVAL OF THE MINUTES

February 24, 2003 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the February 24, 2003 regular meeting.)

- Adoption of the Minutes – February 24, 2003 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Telecommunications Plan Update

FOR DISCUSSION ONLY

- **Status of consumer broadband (cable/DSL/satellite) availability in San Francisco;**
 - **Broadband alternatives and competition in the marketplace.**
- (There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission will meet on April 28, 2003 at City Hall, Room 400, 5:30 p.m.
- Public Testimony
- Commissioners' Comments
- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the March 31, 2003 Commission meeting;
2. Draft minutes of the February 24, 2003 regular meeting;
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

February 26, 2003 – March 12, 2003

1. A short survey e-mailed to the Commission regarding cable franchises was responded to by DTIS staff.
2. E-mail commenting on the contents of the 2-24-03 Telecommunications Commission meeting regarding: public access information described by NYC wireless and BAWUG; Telecommunications Commission take the leadership role in bringing access to information for all the residents of San Francisco. No response was necessary.
3. E-mail asking the city franchise negotiators to look into the discontinuation of printed Cable Guide. DTIS staff responded.
4. E-mail inquiring about a law that requires buildings in certain cities to allow users to obtain satellite TV. DTIS staff responded.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- The Telecommunications Commission web site address is [www.sfgov.org/telecommunications Commission](http://www.sfgov.org/telecommunications_Commission).

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

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Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

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American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

01/03

**SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

March 31, 2003

CITY HALL

**ROOM 400
5:30 P.M.**

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COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Acting Chair Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

Present: Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: President Kim Bogen

2. APPROVAL OF THE MINUTES OF February 24, 2003

Acting Chair Myatt requested to abstain from voting on the February 24, 2003 minutes, because he was not present. Commissioner Inadomi made a motion, seconded by Commissioner Daluvoy, to exempt Acting Chair Myatt from voting on the adoption of the February 24, 2003 minutes. The Commission moved to grant Acting Chair Myatt an abstention with three ayes [Daluvoy, Inadomi, Rouan]; none opposed.

Public Testimony: none.

Commissioner Rouan made a motion, seconded by Commissioner Inadomi, to approve the minutes of February 24, 2003. The Commission moved to adopt the minutes with three ayes [Daluvoy, Inadomi, Rouan] and one abstention [Myatt]; none opposed.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public Testimony – none.

Commissioner Comments - none

3. DIRECTOR'S REPORT

Emergency Communications Department (ECD)

Executive Director praised the teamwork demonstrated by the staff at the Department of Telecommunications and Information Services (DTIS) and the ECD during the anti-war protests this month. Four extra channels were made available in response to the 50% increase in calls at ECD, and to ensure that the City's 800MHz system gave public safety providers adequate service.

Both the DTIS and the ECD technicians made the Computer Aided Dispatch system operate efficiently despite the increased activity. Executive Director Loeven thanked Executive Director Sullivan of ECD and the DTIS and ECD technicians, and commented that the call answer times were reduced even though call activity increased.

Budget

DTIS staff is working with various City departments to ensure that the telecommunications and IT services are not compromised by budget deficits during the next fiscal year. The Department is working with the SFGTV to increase access to public meetings by acquiring equipment that will allow public meetings to be carried on the government cable channel without increasing staff. The City's web site has increased collection of City revenues by 27% over the past year, through payments for parking tickets, business taxes and other City services.

CA Channel

Comcast has removed the California Channel programming from public access. This limits the public access channel to subscribers on the digital system that is available to approximately 40% of the City. Brian Wilson and Brian Roberts of DTIS met with Mr. Blaney to clarify the SFCTC's concerns and to plan for making the public access channel available 24/7 to all San Francisco subscribers.

Comcast Rebuild

DTIS staff will review Comcast's rebuild progress report, delivered on March 31, 2003, to determine current progress, to make projections for the next six months, and to consider options.

Executive Director Loeven thanked Ms. Linda Crayton and Comcast for seeking to resolve this issue quickly. He also thanked SBC for helping DTIS with switching equipment.

Public testimony: none.

Commissioner comments: none.

5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady highlighted the following topics:

File 021884 (Public Access Cable Television)

- At the March 25 meeting, the Board of Supervisors approved a resolution designating San Francisco Community Television Corporation (SFCTC) as responsible for the management and operation of the public access channel (Access San Francisco) through June 30, 2005.

- The resolution approved the public access grant awarded to SFCTC by DTIS and the Telecommunications Commission on October 28, 2002.

FCC seeks comments on "do-not-call" law

- The FCC released a notice of proposed rulemaking on March 25, 2003, seeking comment on rules regarding unwanted telephone solicitations consistent with FTC "do-not-call" lists.
- The Do-Not-Call Implementation Act signed this month requires the FCC to report to Congress within 45 days after it has completed its rules, and to report annually after that.

The following persons spoke during public testimony:

Kazmi Torii, member of the Producers and Programmers Network of San Francisco, asked for clarification regarding the extension of the SFCTC's grant. Deputy Director Brady replied that the department must ask the Board of Supervisors to extend the grant designation during the stated time period, June 30, 2005.

Karl Bryant, Treasurer, Producers and Programmers Network of San Francisco, asked whether the Commission would allow the Producers and Programmers Network of San Francisco to continue to contest the award of any contract to SFCTC unless they were involved in the granting of the award.

Commissioner comments: none

6. NEW BUSINESS

Telecommunications Plan Update

- **Status of consumer broadband (cable/DSL/satellite) availability in San Francisco**

Brian Roberts, DTIS, Senior Policy Analyst gave the following presentation:

- The Plan was adopted in January 2001, and must be updated every two years, as required by the Administrative Code (Sec. 11.88(f));
- This presentation focuses on residential broadband, which was identified in the original Plan. Competition was expected in the downtown business district, but less in residential areas. The Plan also identified the financial concerns of the telecommunications industry, and what the retrenchment of investment has had in residential broadband;
- Although the Plan was issued in 2001, it relied on a survey of telecommunications companies made in 1998, on telephone and mail

surveys done in 1999, and on periodic Commission hearings.

- There were three facilities-based carriers: SBC, Comcast, and RCN.
- Some partially facilities-based carriers were examined by the Plan, including competitive local exchange carriers (CLECs) such as Northpoint and Covad.
- Fixed wireless/satellite were mentioned in the Plan because they were emerging at time Plan was issued.
- The Commission wanted consumers to have a choice of advanced, affordable telecommunications services. The policies of the Commission intended to facilitate entry, open access, support for low income discounts, and support for public access.
- Comcast covers 40% of the City and anticipates covering an additional 86,000 houses within the next six months, and RCN covers 9% of the City. The only independent Data CLECs that remains is Covad. Sprint Direct has withdrawn and Direcway is marketing in rural areas.
- Broadband distribution is high in San Francisco; 40% of the online population has high-speed data (38% DSL, 2% cable modem).
- There has been a tendency to bundle the high speed data with other services. There have been different prices for different speeds.
- Data CLECs is highly subject to regulation. The FCC recently decided that in order to get low cost access to the home, they have to share part of the frequency on a copper line with the Telephone Company.
- Wi-fi was not contemplated in the original Plan. Wi-fi was mostly considered a "wireless LAN" product for the home or office.
- **Broadband alternatives and competition in the marketplace**

Center for Digital Democracy

- Gary Larson represents the Center for Digital Democracy, a non-profit organization based in Washington, D.C., which monitors telecommunications policy to ensure that the digital media systems serve the public interest by preserving openness and diversity of the Internet.
- Larson is encouraged by the Telecommunications Plan of San Francisco because it promotes the democratic process of telecommunications services to the residents and businesses of San Francisco.

- He said the biggest challenge is preparation of an informed and demanding citizenry.
- Non-commercial, educational, public interest programming is concerned with devoting some franchise fees to PEG programming.
- Portland is looking at wi-fi networks associated with their existing infrastructure. Some cities are expanding their I-Nets beyond their schools, libraries, and public buildings to community centers and cultural organizations.
- San Francisco could create virtual real estate for the arts community.
- Besides commercial uses, some of the new services should be devoted to non-commercial, public interest programming.

SBC

Byron McDaniel, SBC Vice President of Construction and Engineering, discussed the following topics in the attached presentation:

- Network overview;
- Services overview;
- Map of DSL service in San Francisco;
- Future of SBC – Mission Bay
- Architecture of fiber;
- Summary

Comcast

Linda Crayton, Director of Government Affairs at Comcast introduced the Comcast representatives: John Aragon, Vice President of Government Affairs; Brent Bayon, Director of Engineering; Amy Lunch, Director of Sales and Market; Heather Tawes, Manager of Marketing; Tom Tantriella, Manager of Network Construction. The presentations given at the meeting and attached hereto included:

- Linda Crayton regarding Comcast in California:
- Tom Tantriella regarding completed districts of the upgrades of San Francisco homes passed, Comcast infrastructure, rebuild impediments in San Francisco.
- Amy Lynch regarding the new broadband services in San Francisco, and customer services in the Bay Area.

Cisco

Eric Blaufarb, Cisco Systems Field Marketing Manager, Wireless Networking Business Unit, gave a PowerPoint presentation (attached) as an overview of wireless technology applications for first responders to provide wireless LAN coverage at local libraries, universities, hotels, and airports.

Intel

Kevin Kahn, Intel Fellow, in a PowerPoint presentation (attached) stated that wi-fi is inexpensive and works as a short-range innovative technology to provide public coverage in "hotspots" such as airports, cafes, parks, universities. Wi-fi technology will become essential in public transit waiting rooms. Police departments use wi-fi. Other areas of the world are ahead of the U.S. in wi-fi deployment.

The following persons spoke during public testimony:

Jack Fuchs, Vice President of SOMA Networks, San Francisco, <http://www.somanetworks.com/>, spoke about last-mile broadband that can be deployed quickly and inexpensively to the underserved community, and to provide choices to other communities. Wireless technology is available for the last mile. He suggested that equipment be installed on the base of existing cell sites to provide broadband, data, and voice services. He indicated that consumers can be connected to the internet by plugging a small device into a computer and standard telephone line. Wide area technology is the solution for the last hundred feet into the home.

Duncan Davidson explained that Skypilot, brings broadband services to incumbent ISPs through open access mesh networking, which overcomes distance. If the network architecture is correct, and more people can join, more capacity, greater coverage, and increased speed are achieved. The network topology improves with density. He encouraged the Commission to investigate the new technologies, particularly open spectrum wi-fi unlicensed systems.

Steve Zeltzer, Vice Chair of Producers and Programmers Network of San Francisco, asked why many San Franciscans have no access to new technologies like broadband, while in South Korea, for example, 70% of the population has access. He contends that Comcast charges high rates, forces acquisition of digital, and is not user friendly. Further, Comcast censors anti-war ads, and is anti-unions. He favors wi-fi and democratic communications.

Zeltzer stated that the Community Television Corporation (CTC) has less live programming in community access now than it did when it was under TCI. Finally, the programmers have been told by CTC that they must become members in order to participate at CTC. He believes this to be undemocratic, and urges that the City control the new technologies, as in Ashland, Oregon, where the cable and internet system is owned by the City. To learn about democratic communications, he recommended the one-day seminar, "Access, Broadband and the Digital Future" scheduled on April 5,

2003 at Stanford University.

Doug Loranger represented the San Francisco Neighborhood Antenna-Free Union (SNAFU), a city-wide coalition of local residents and neighborhood organizations that focuses on the impacts of wireless technologies in San Francisco. He said that the City is revising the 1996 Wireless Telecommunications Services Facilities Siting Guidelines. The Planning Commission on March 13, 2003 voted to hold a joint hearing between the Planning Commission and the Board of Supervisors Land Use Committee to consider legislation drafted by Supervisor Ammiano to revise these guidelines. He distributed to the Commissioners a one-hour documentary that focuses on siting wireless facilities and the concerns of San Francisco residents.

Loranger asked that the public health impact of the rapidly evolving wireless technologies be a part of any discussion taking place by City agencies with respect to these technologies. He was disturbed that the wireless presentation held at the regular meeting of the Telecommunications Commission of February 24, 2003 did not include such a discussion. He reminded the Commission that the City's Telecommunications Master Plan and the Telecommunications Commission itself came into existence because of residents' concerns about the health effects of the first and second generations of wireless technology in San Francisco.

Mark Longwood cited studies (attached) by a number of physicians on the health effect of electromagnetic fields.

Pamela Gaddies, a producer at Channel 29, stated that she is concerned about the health of the African American community in San Francisco. She noted that none of the technology addresses the health disparity among the African Americans.

Todd Curtis addressed the Commission regarding the health concerns surrounding wireless cell sites. He stated that residents of the Mission District are appealing a decision by the Planning Commission to issue conditional use permits for antennae. As a new RCN customer, he is concerned that RCN does not provide public access cable. He understood that RCN cable service in San Francisco must provide public access channels.

Commissioner Inadomi asked for clarification from Brian Roberts, Linda Crayton, and Byron McDaniel regarding broadband policies or practices in San Francisco, including any associated with wi-fi. Byron McDaniel replied that currently there is no product associated with wi-fi and the company is evaluating whether they want a SBC product or a partner product. Comcast replied that they do not distribute the product.

Commissioner Daluvoy asked Comcast and SBC what is the timeframe between homes passed and services provided, and about SBC's fiber-based network. Commissioner Daluvoy then questioned Intel and SkyPilot regarding security and interference.

Commissioner Rouan stated that there was a need to examine the health issues. RCN

will provide PEG for public access. He expressed support for video-on-demand and streaming opportunities for PEG.

7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission will occur on April 28, 2003 at City Hall, Room 400, 5:30 p.m.

Public testimony: none.

Commissioner comments: none

Review of Telecommunications Commission Pending Topics List.

Public testimony: none.

Commission comments: none.

7. GENERAL PUBLIC TESTIMONY

Kazmi Torii, member of the Producers and Programmers Network of San Francisco, asked about the mandatory membership requirement instituted at CTC. Also, she thought that non-profit status would improve public access, and wondered why there is a budget shortfall at CTC.

8. ADJOURNMENT

Acting Chair Myatt adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Helen C. Danina

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It includes a detailed description of the data collection process, as well as the specific techniques used to analyze the data and identify trends and patterns.

3. The third part of the document provides a comprehensive overview of the results of the data analysis. It includes a series of charts and graphs that illustrate the key findings of the study, as well as a detailed discussion of the implications of these findings for the organization's future operations.

4. The fourth part of the document discusses the various challenges and limitations of the data analysis process. It includes a detailed discussion of the challenges faced by the organization in collecting and analyzing data, as well as the limitations of the data analysis process and the potential for bias and error.

5. The fifth part of the document provides a series of recommendations and suggestions for improving the data analysis process. It includes a detailed discussion of the various ways in which the organization can improve its data collection and analysis processes, as well as the potential for using new technologies and tools to enhance the data analysis process.

6. The sixth part of the document provides a series of conclusions and recommendations for the organization's future operations. It includes a detailed discussion of the key findings of the study and the implications of these findings for the organization's future operations, as well as a series of recommendations for how the organization can improve its data collection and analysis processes and ensure the accuracy and reliability of its data.

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, April 28, 2003, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.

All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

DOCUMENTS DEPT.

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) APPROVAL OF THE MINUTES

March 31, 2003 Special Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the March 31, 2003 special meeting.)

- Adoption of the Minutes – March 31, 2003 Special Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Telecommunications Plan Update

FOR DISCUSSION ONLY

- **Educational programs and HDTV**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission on May 26, 2003 is cancelled because it is Memorial Day; the special meeting of the Telecommunication Commission will meet at City Hall, Room 416, 5:30 p.m.
- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the April 28, 2003 Commission meeting;
2. Draft minutes of the March 31, 2003 speciallar meeting;
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC March 16, 2003 – April 3, 2003

1. E-mail from broadband internet subscriber inquiring why his rate has increased when he does not subscribe to digital cable TV service.
2. E-mail wanting to know what can be done with violation of ISP Terms of Service, including incidents of harassments or spam.
3. Letter received from subscriber asking Comcast for the reinstatement of a retirement disability package guaranteed to the person by previous cable system operators in San Francisco.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@sfgov.org.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@sfgov.org.
- The Telecommunications Commission web site address is www.sfgov.org/telecommunications_Commission.

SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

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The closest accessible BART station is the Civic Center station, located at the intersection of Grove, Hyde, and Market Streets.

Accessible MUNI bus lines serving City Hall are the 19 Polk, 42 Downtown Loop, 9 San Bruno, and the 7 Haight/Noriega. Accessible MUNI lines are the J, K, L, and M. Disabled parking is available at designated points along Van Ness, McAllister, Grove, and Polk streets. For more information regarding MUNI accessible services, call 415/923-6142.

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Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

April 28, 2003

CITY HALL

**ROOM 400
5:30 P.M.**

DOCUMENTS DEPT.

MAY 14 2003

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COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Acting Chair Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

Present: Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: President Kim Bogen

2. APPROVAL OF THE MINUTES OF MARCH 31, 2003

Commissioner Rouan made the following amendments to the minutes of March 31, 2003, page 3, first two sentences under "CA Channel" should read as follows:

Comcast has moved the California Channel programming off the public access channel. That move frees up of the public access channel only to subscribers on the digital system that is approximately 40% of the City.

Commissioner Rouan made a motion, seconded by Commissioner Inadomi, to approve the minutes of March 31, 2003 as amended. The Commission moved to adopt the minutes with four ayes [Daluvoy, Inadomi, Myatt Rouan]; none opposed.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.

Commissioner comments – none.

4. DIRECTOR'S REPORT

Executive Director Loeven addressed two Comcast cable franchise issues:

1. Supervisor Sandoval held a hearing on April 14, 2003 to discuss PEG access channels and institutional networks. The San Francisco School District and City College of San Francisco described their desires to enhance the education channel and to increase capacity. Community members also stressed the need for more capacity and resources. The City Attorney addressed the franchise renewal process and Deputy Director Brady spoke about the government channel and the possibility of an institutional network.

2. On April 15, 2003, Comcast filed a letter to begin the franchise renewal process. The City has six months to begin the community needs assessment. During this time of limited budget resources, DTIS with the assistance of the Telecommunications Commission, will formulate the most efficient method to gather broad based community input for the franchise renewal process. Executive Director Loeven will work with President Bogen to ensure that the public process is thorough.

Public testimony - none.

Commissioner comments - none.

5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady was unable to attend this meeting, but the attached report was e-mailed to the Commissioners and is available to the general public.

Public testimony - none.

Commissioner comments - none.

6. NEW BUSINESS

Telecommunications Plan Update

- **Educational programs and high definition television (HDTV)**

Acting Chair Myatt introduced Jeff Clarke, CEO of KQED who gave the attached presentation.

Jeff Clarke chaired a commission that reviewed Houston municipal channel operations and the Houston Community College system. He suggested that the City investigate ways to improve service to the residents of San Francisco. As digital cable and high definition cable become available, he encourages the City to adopt them in government and education.

The following persons spoke during public testimony:

Karl Bryant asked whether public access was combined with public television in Texas. Jeff Clarke said that he was helping to build a better system with the municipal channel, public access, and community college system.

Steve Zeltzer, Vice Chair, Producers and Programmers Network of San Francisco, supported the merging of content with various channels. He said that the Osaka, Japan, NHK channel has a program featuring the best of community access and suggested that KQED do same in the Bay Area. Jeff Clarke approved of exploring this idea and mentioned that KQED has featured the independent film community.

Zane Blaney, Executive Director, San Francisco Community Television Corporation, mentioned that CTC has met with KQED staff to explore ways to develop content useful to both channels.

Commissioner Rouan asked whether the materials that are downloaded by 12,000-15,000 teachers are copyrighted by KQED. Jeff Clarke answered that many of the series come with rights for educational use.

In answer to Commissioner Inadomi's question, Jeff Clarke replied that KQED is the most watched public television station in America during prime time hours. Six million viewers are reached per month. KQED radio is the station most listened to by drivers in the Bay Area; and the audience of 740,000 people make it the most listened to station nationally.

Commissioner Daluvoy asked whether some of KQED educational programming is being carried on Comcast broadband, or SBC. Jeff Clarke indicated that KQED is negotiating with Comcast for the delivery of high density digital signals on the cable system, but not as yet on broadband. Further, many of the ISPs do not view KQED's content as commercially viable, but radio signals are being delivered over wireless technology to PDAs.

Further, Commissioner Daluvoy asked what percentage of overall effort was devoted to content and how much to distribution. Jeff Clark answered that KQED works primarily in content development and delivery.

Executive Director Loeven asked Jeff Clark to explain the cost involved in high definition receivers and the use of computer cards as a means to cut those costs.

In answer to a question from Commissioner Myatt, Jeff Clark explained how educational programs created by master teachers in a particular subject can be digitally broadcast and retrieved by students and teachers.

7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission of Monday, May 26, 2003 is cancelled because of Memorial Day. Instead a special meeting of the Telecommunications Commission will be held at City Hall, Room 416, 5:30 p.m. on Thursday, May 29, 2003.

Public testimony -- none.

Commissioners' comments -- none.

The Pending Topics List (available on telecommunications_commission@sfgov.org) has been revised to include the topic of access to telecommunications technology for people with disabilities; this will be discussed at the May 29, 2003 special meeting.

Public testimony – none.
Commissioners' comments – none.

8. GENERAL PUBLIC TESTIMONY

Karl Bryant, Treasurer of the Producers and Programmers Network of San Francisco, asked the Commission to review two issues: first, election versus appointment of the CTC board; and second, the paid membership program. Executive Director Loeven stated that Brian Wilson will meet with Karl Bryant, Zane Blaney, and other interested persons to clarify these issues.

Kazmi Torii, member of the Producers and Programmers Network of San Francisco, reiterated Karl Bryant's concerns.

Acting Chair Myatt stated that these two issues will be addressed by DTIS at the May 29, 2003 Telecommunications Commission meeting.

8. ADJOURNMENT

Acting Chair Myatt adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Thursday, May 29, 2003, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

AGENDA

There is one action item on this agenda.

All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) APPROVAL OF THE MINUTES

April 28, 2003 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the April 28, 2003 regular meeting.)

- Adoption of the Minutes – April 28, 2003 Regular Meeting
 - Public Testimony
 - Commissioners' Comments
 - Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Telecommunications Plan Update

FOR DISCUSSION ONLY

- **Access to Telecommunications Technology For People with Disabilities**
 - Scott Luecking, Disability Right Education and Defense Fund;
 - Anthony Tussler, World Institute on Disability;
 - Frances Franco, Deaf and Disabled Telecommunications Program;
 - Frank Pederson, Hands On Video Relay Service, Inc.

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

The regular meeting of the Telecommunications Commission will meet at City Hall, Room 400, 5:30 p.m. on June 23, 2003.

- Public Testimony
- Commissioners' Comments

- Telecommunications Commission Pending Topics List

- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the May 29, 2003 Commission meeting;
2. Draft minutes of the April 28, 2003 regular meeting;
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

April 16, 2003 – May 8, 2003

1. Copy of letter from the Federal Communications Commission to President and CEO of KRCB Television 22, Rohnert Park, CA confirming that the must carry complaint against Comcast Cable Holdings was dismissed because the broadcast station and Comcast have reached an agreement. The letter of complaint was reported in the Communications Section of the January 27, 2003 agenda.
2. Email received from a cable subscriber requesting information about Comcast Lifeline program. Cable subscriber was responded to by DTIS staff.
3. Copy of letter from Linda Crayton, Director of Government Affairs, Comcast, summarizing the nature of complaints for the period of January 1, 2003-March 31, 2003 to Denise Brady, Deputy Director, DTIS.
4. Copy of Comcast quarterly report on cable complaints from January 1, 2003-March 31, 2003 to Denise Brady, Deputy Director, DTIS.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
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Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@sfgov.org.
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SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

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Individuals with severe allergies, environmental illness, Multiple Chemical Sensitivities, or other disabilities should contact (415) 554-6060 or TDD/TTY at (415) 554-6252, for inquiries. In order to assist the City in accommodating persons with such disabilities, attendees at all public meetings are reminded that other persons may be sensitive to chemically based products. Please help the City to accommodate these individuals.

American Sign Language interpreters, sound enhancement devices, information in alternative format and/or Stenocaptioning will be available upon request.

Please make your request for reasonable accommodations at least 72 hours in advance of any public meeting or hearing.

**SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

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JUN 18 2003

May 29, 2003

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CITY HALL

ROOM 416
5:30 P.M.

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

2. APPROVAL OF THE MINUTES OF APRIL 28, 2003

President Bogen requested to abstain from voting on the April 28, 2003 minutes, because she was not present. Vice President Myatt made a motion, seconded by Commissioner Rouan, to exempt President Bogen from voting on the adoption of the April 28, 2003 minutes. The Commission moved to grant President Bogen an abstention with four ayes [Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

Vice President Myatt made a motion, seconded by Commissioner Rouan, to approve the minutes of April 28, 2003. The Commission moved to adopt the minutes with four ayes [Daluvoy, Inadomi, Myatt, Rouan] and one abstention [Bogen]; none opposed.

Public Testimony: none.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.
Commissioner comments – none.

4. DIRECTOR'S REPORT

Minority Owner Business Enterprises (MBE) and Women Owned Business Enterprises (WBE)

Executive Director Loeven at his first Telecommunications Commission meeting stated a desire to increase DTIS's Minority Owned Bbusiness Enterprises (MBE) and Women Owned Business Enterprises (WBE). During the last year at various meetings he raised staff awareness of this subject and conversed with MBE/WBE vendors to better

understand their services. For the current fiscal year 2002-2003, DTIS has spent \$924,000 on MBE/WBE contracts, compared to \$440,000 the previous fiscal year. The increase comes at a time when significant efforts are being made to reduce outsourcing of services and maximizing use of the in-house DTIS workforce. In addition, mechanisms have been put in place that will allow for increased participation. With the help of the senior staff, a better tracking of contracting services have been put in place.

Comcast Cable's HDTV

Comcast cable's HDTV service will be available on June 3, 2003. This service will be available only in areas where their system has been upgraded. In San Francisco, approximately 40% of the City will receive HDTV services.

Overview of Major Cities' Telecommunications Plans

The Telecommunications Act of 1996 spurred communities to engage in formal planning processes. DTIS will survey selected cities nationally, including cities in California such as Santa Monica and the Bay Area, for innovative telecommunications plans. DTIS will also review Sonoma County's work on the Computer Systems Policy Project's Readiness Guide. In addition to reviewing Telecommunications Plans, DTIS will investigate public and public/private projects that the Commission may want to consider, such as the City of Long Beach's free wi-fi offering in its downtown area.

Kazmi Torii spoke during public testimony and asked about yesterday's Community Television Corporation (CTC) meeting. President Bogen responded that her comments are out of order and should be addressed during "General Public Testimony," and that the June 23, 2003 meeting is devoted entirely to (CTC) and public access.

Commissioner Inadomi was pleased that Executive Director Loeven was successful in doubling the MBE/WBE telecommunications contracts.

Commissioner Myatt expressed interest in DTIS's survey of other cities telecommunications plans. He was also interested in where disabled veterans fit in the MBE/WBE contracts.

5. DEPUTY DIRECTOR'S POLICY REPORT

The Commissioners did not have any questions regarding Deputy Director Brady's policy report which was e-mailed to the Commissioners.

Steve Zelter, member of Producers and Programmers Network of San Francisco, asked the Deputy Director to report on the meeting held with DTIS, CTC, producers and programmers, and the deputy city attorney. He was reminded by President Bogen that this topic is not part of the Deputy Director's report.

Commissioner comments - none.

6. NEW BUSINESS

Telecommunications Plan Update

• Access to Telecommunications Technology for People with Disabilities

President Bogen stated that a presentation on "Access to Telecommunications Technology by People with Disabilities," is to be moderated by Susan Mizner, Acting Director of the Mayor's Office on Disabilities. President Bogen thanked the prospective speakers, Ms. Mizner and her Program Administrator, Ken Stein, DTIS Executive Director, DTIS Deputy Director, and the Commission Secretary for developing this presentation.

Prior to the presentation, she put it in context.

- The presentation is part of the series of presentations and hearings by the Commission to examine the present Telecommunications Plan and consider revisions.
- The Plan guides City departments regarding telecommunications issues by establishing overall goals and proposing initiatives to achieve them.
- As Jeff Clark said in his presentation at the last meeting, it is important that the City investigate improved service to the residents of San Francisco, especially disabled persons.
- The Plan has an impact on this particular community and helps drive initiatives to provide improved service.
- A broad goal of the Plan is to provide consumers with information and a choice of advanced, affordable telecommunications services to promote individual, community and economic development. Some initiatives to accomplish this goal are:
 - A.1.3. Access for Persons with Disabilities and Limited English Proficiency: The City promotes this through ensuring that public City telecommunications equipment is accessible, exploring a Second Audio Program (SAP) for video cablecasts, and improving access to public information through captioning of video.
 - A.2.5. Consumer Knowledge and Protection Advocacy for Persons with Disabilities and Limited English Proficiency: The City advocates easy access for these persons.
 - A.4.5. Access to Electronic Government by Persons with Disabilities and Limited English Proficiency: The City enterprise IT department seeks to make information and services accessible to these persons by using translation software and captioning.

The importance is stated in the section on THE FUTURE in the plan:

"To take advantage of this future, individuals, including people with disabilities, must have access to an easy-to-use, ergonomically healthy, non-intimidating interface. They must also understand the relevance, benefits and uses of the technologies that ride over the telecommunications infrastructure. Most important, consumers will either be able to afford the advanced services necessary to participate in the community or will have access to facilities in public places."

To measure our progress, the session was turned over to Ms. Mizner and her group for their presentations.

Ms. Mizner, Acting Director, San Francisco Mayor's Office on Disability, addressed the Telecommunications Plan regarding policies dealing with access for persons with disabilities. The topics included principles of universal design, legal requirements, and video relay services.

Scott Luebking

Scott Luebking, Disability Right Education and Defense Fund, has a background in mathematics, computer science, clinical psychology, and theatre. He gave the attached presentation entitled "Universal Design in Technology: Re-thinking Disability in Telecommunications." He defined universal design as the design of products and environments to be usable by all persons without adaptation or specialized design. He believes that universal design is better than assisted design because it serves a wider range of persons.

President Bogen stated that the Telecommunications Plan should focus on accessibility for a wide range of beneficiaries. Although Scott Luebking encouraged universal design, assisted technology may also be useful for some persons.

Anthony Tusler

Anthony Tusler is the coordinator of the technology policy division of the World Institute on Disability, a non-profit policy agency dedicated to promoting equal opportunity for people with disabilities. He spoke about the need to create access for people with disabilities to electronic and information technology, about the need for state and local governments to make electronic information and services accessible, and about the impact of section 508 on federal and state practices.

- He commended the Commissioner and the City for providing the hearing room with American Sign Language (ASL) interpreters and real time captioning.
- Information electronic technology has provided access for persons with disabilities, such as the nib for number 5 on cell phones, an example of universal design.
- The worldwide web, however, is not part of universal design because the blind

cannot access the graphics.

- There is always the promise of technology along with the problems for the people with disabilities.
- There are three federal laws and regulations that guide accessibility: section 255 of the Telecommunications Act, section 508 of the Rehabilitation Act, and the Americans with Disabilities Act.
 - Section 255, which deals with access to equipment, is administered by the Federal Communications Commission.
 - Section 508 of the Rehabilitation Act requires that the electronic and information technology that the federal government procures be accessible and the offerings (web sites) be accessible. Major manufacturers are using cascading access to include the federal government, persons with disabilities, and the general public. Web pages and other electronic information technology are being designed for accessibility. Several states, including California, have adopted Section 508. Fifty-eight percent of the general population uses the internet compared to 38% for persons with disabilities.
 - The Americans with Disabilities Act is unimportant in electronic and information technology, but, when changes are made quickly, it creates a sense of inclusion.
- It is particularly important for persons with disabilities to have access to city services, city information, and to discharge their civic responsibilities through electronic communications.
- For persons with disabilities the City should include everyone, and investigate universal design.
- Anthony Tusler is most concerned about the ability to register to vote, to locate polling places, to vote, to sit on a jury, to address a meeting, to access minutes and agenda, and to communicate with the Commissioners and Board of Supervisors.
- The “help the handicapped” attitude ignores the rights and responsibilities of citizenship.
- He urged the Commissioners to be all inclusive when setting policy for the disabled community.
- He cautioned that access for people with disabilities should not be targeted for budget cuts, because 20% of the population are disabled.

President Bogen asked whether he would recommend that the City and County of San Francisco adopt a plan similar to Section 508. He responded that, even though not ideal, it is decent legislation. Further, he encouraged the Telecommunications Commission and the Mayor’s Office on Disabilities to work together to set recommendations.

Commissioner Myatt asked for a summary of Section 508, and about its application to citizen responsibilities such as voting in the City. Anthony Tusler replied that it provides accessibility criteria for mobility, vision, and hearing. He said that telecommunications products, software applications, and operating systems, as well as web-based

information or applications must be accessible. For example, the screen reader on federal websites, and captioning on video and multi-media products provide for accessibility. Unfortunately, information kiosks do not now provide good accessibility. Anthony Tusler stated that there should be alternative ways for locating polling places – online, as well as by accessing telephone information.

Scott Leubking added that a bill passed last year requires polling places to be accessible to the blind. Acting Director Mizner explained that people with hand mobility restrictions and vision impairments cannot vote without the help of another person, but that buttons installed on voting equipment help by enabling voters to listen to what is written on the screen. Title II requires programs aired on government channel 26 to be captioned.

Frances Franco

Frances Franco, northern California outreach specialist for the California Telephone Access Program (CTAP), discussed adaptive telephone equipment and related services for disabled persons. She is the key resource for the City regarding TTY machines and provides TTY training.

- Frances Franco represents the Deaf and Disabled Telecommunications Program, a non-profit organization established by the Public Utilities Commission (PUC) to administer the state mandated CTAP.
- CTAP has an equipment loan program, a relay service, a speech to speech service. All services are provided at no cost to qualified California residents who can provide certification from physicians, audiologists, or rehabilitation counselors.
- A display showed TTY machines, Braille keypads, language accessibility and cognitive impairments procedures, mobility and manipulation restrictions, fax machines, California relay service, and speech to speech service.

Commissioner Bogen asked how the program is funded. Frances Franco said that the line item on the phone bill entitled, "California Relay Service and Communications Devices Fund" pays for the program.

Executive Director Loeven asked whether there was a certification process for the equipment bought by the state. She answered that it is evaluated by the consumers before it becomes part of the inventory. Further, interested manufacturers of such equipment must submit competitive bids.

Frank Pedersen and Andrew Metz

Frank Pedersen is the Executive Vice President for Hands-on Video Relay Services, Inc. (HOVRS) based in Rockland, CA. He has more than 20 years of senior management level experience in business development, operations, administration, and strategic planning. He indicated that this new communications service enables persons who are deaf or hard of hearing to communicate in their native language, American Sign Language (ASL), to the hearing world over telephones.

Andrew Metz, who is deaf, is the corporate controller at Hands-on Video Relay Services, Inc. Previously, he was the Assistant Superintendent of the Indiana School for the Deaf, where he supervised the Operations Division staff of 85 employees. In the attached presentation he demonstrated how this software is used by the deaf and hard of hearing in ASL, as interpreted by a signer.

Frank Pedersen said that VRS service is free and not labor intensive because the interpreters are located at the call centers. The VRS often encounters a firewall which can be overcome through a port, DSL, and soon over wireless. Presently, the PUC does not recognize cellular phone service as part of the basic service. The system allows deaf users and regular users to call each other.

Executive Director Loeven, who will work with the Mayor's Office on Disabilities, remarked that he is interested in using the technologies to make the City's website accessible to all communities.

Deputy Director Brady stated that SFGTV recently launched archived video indexing for public meetings.

Edward Evans, Chair of the Mayor's Disability Council, mentioned during public testimony that closed captioning on city government programs was much appreciated by the disabled community. He recommended that all Commissions and Advisory Councils in City Hall be broadcast on Channel 26 so that every segment of the community can communicate and be informed about city government. Unlike the Board of Supervisors and Commissions, the Disability Council has the capability for persons to call in and participate from home.

He asked the Commission to investigate the following:

- Cost discounts to seniors and disabled persons for cable TV, ISP, DSL;
- Closed captioning at all Commission and Advisory Council meetings;
- Telecommunications Commission solicitation of the State government to require satellite companies to carry state and local government channels;
- Mandatory captioned programming on cable channel 27;
- Mandatory description settings to receive stereo signals;
- Greater accessibility of polling places;
- Implementation of voting through wireless technology.

Both President Bogen and Vice President Myatt expressed the wish to work with the Mayor's Office on Disabilities to make the goals and procedures of Telecommunications Plan more particular and specific.

Recess

7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission will convene at City Hall, Room 400, 5:30 p.m. on June 23, 2003.

Public testimony -- none.

President Bogen and Vice President Myatt both expressed interest in revising the Pending Topics List (available on telecommunications_commission@sfgov.org) to include discussion of Access SF at the June 23, 2003 regular meeting.

Public testimony – none.

Commissioners' comments – none.

8. GENERAL PUBLIC TESTIMONY

The following persons spoke during General Public Testimony:

Steve Zeltzer, Chair, Producers and Programmers Network of San Francisco, stated that he and others were excluded from the meeting on May 28, 2003. He wanted to discuss the mandatory membership implemented at CTC. He does not want to be a paying member, because he disagrees with the principles of the organization. Also, producers and programmers do not have the same membership rights as members of the CTC Board of Directors. He stated that less channel time is available especially because CTC has contracts with other community members. He also dislikes the lottery system, and that the station is not open 7 days a week.

Kazmi Torii of Producers and Programmers Network of San Francisco disagreed with mandatory membership, stating that if the membership fee of \$36 per year is not paid by June 30, 2003, she will be unable to air her tape. She also stated that members can nominate only one person each year to serve on the Board.

Carl Bryant, Treasurer, Producers and Programmers Network of San Francisco, thanked Commissioner Rouan, Brian Wilson, Zane Blaney, and City Attorney Bill Sanders for holding the meeting of May 28, 2003, which provided clear information regarding City business, DTIS, the Telecommunications Commission, and the operations of nonprofits. He read the following excerpt from the "Upstream, Spring 2003" newsletter:

Payment of annual membership by June 30 assures producers of programs for the channel that their continuing access to channel time and facilities will not be interrupted. Beginning July 1, producers who are delinquent in paying the annual membership fee will be unable to make reservations at the facility, or to submit programs for playback on the channel.

He asked that the Commission, DTIS, the City Attorney, Access SF, and other producers meet to end contentiousness.

David Grace, producer of "Money Talks", read the following paragraph in the same newsletter:

For whom is paid membership required at Access SF?

Access SF paid membership is required for Board Members and Producers. Producers include Channel Users (Program providers only) and Channel-Facility Users (Program providers who access either equipment or facilities in order to realize their program submissions). By June 30 all Board Members, Channel Users, and Channel-Facility Users must pay a \$36 membership fee for fiscal year 2003-2004.

Access SF producers must join as paid members when submitting a playback application to have a program placed on the channel.

He stated that this counters the original intention that public access be supported by franchise fees collected from the cable company.

Robert Damron said that the average residents of San Francisco should be able to get their messages out on public access.

Steven Keller, producer of the "Steven Keller Show," expressed concern about the discounted membership fee for disabled persons and students. He has an invisible disability and feels forced to disclose it in order to get a discount. He disagrees with fee charges for public access stations, and recommends postponement of the fee requirement until the matter is resolved.

David Miles, President of the California Outdoor Roller Skating Association and former Board member of the CTC, is also the producer of "Skatin' Place" which ran for 8 years on public access, but is off the air because of the time slot selection process. He presently runs his show on the internet. He recommends an elected Board.

Tami Kallen, a volunteer at CTC, understood that the purpose of the membership is to permit election of the Board of Directors.

Janice Rothstein said that CTC receives adequate funding from the City and cable company without requiring mandatory membership. She questioned subsidies for paid access TV, and asked that the membership fee requirement be suspended until the June 23, 2003 Telecommunications Commission meeting.

Aline Dinoa expressed concern about the mandatory membership which does not allow one to elect the Board members, saying that the issue is not the \$36 membership fee, but the rights of members. She also disagrees that the CTC facility be used by persons to take classes. Further, she opposes financial disclosure in order to receive a discounted fee. She wants better access to studio time.

George Geevargis, a producer on channel 29 of "San Francisco World TV." opposes the \$36 mandatory membership fee because he contends that the rate will continue to increase. He believes that paid members should be able to elect the members of the Board of Directors.

Lawrence Wolfe, a former producer and intern, said he favors an open access system.

Zane Blaney, Executive Director, SFCTC, suggested establishing and implementing a modest paid membership program to include scholarship membership for eligible San Francisco residents. His Board and others determined that the primary beneficiaries of the station are the producers. The contract also requires CTC to develop 15% of its operational funding from non-City sources in five years. They are investigating grant proposals and fundraising activities, but not commercials. The Sunshine Ordinance requires the organization to develop procedures whereby the membership can nominate members to the Board of Directors.

President Bogen stated that she will work with DTIS and the Commission Secretary to plan meetings that will follow this hearing, and to prepare for the meeting on June 23, 2003.

Vice President Myatt said that, as Acting Chair of the April 28, 2003 meeting, he asked DTIS and those who raised the mandatory membership issue to confer. That meeting took place on May 28, 2003. Since the June 23, 2003 will address public access, and the deadline for the paid membership is June 30, 2003, there is time to address the membership issue.

President Bogen explained that the membership topic had to be postponed because the agenda had to be posted in advance of the May 28, 2003 meeting, and the outcome of the meeting has not been fully discussed with members of the Commission and DTIS staff.

8. ADJOURNMENT

President Bogen adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, June 23, 2003, 5:30 PM

City Hall

1 Dr. Carlton B. Goodlett Place, Room 400

Notice
AGENDA

DOCUMENTS DEPT.
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There is one action item on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

2) APPROVAL OF THE MINUTES

May 29, 2003 Special Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the May 29, 2003 special meeting.)

- Adoption of the Minutes – June 23, 2003 Special Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven) FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Overview of Other Cities' Telecommunications Plans**
- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

Public Access Presentations

FOR DISCUSSION ONLY

- **Brian Wilson, Moderator, DTIS Policy Analyst, National Chair, Alliance for Community Media;**
- **Laurie Cirivello, Executive Director, Community Media Center of Santa Rosa;**
- **Jeff Perlstein, Executive Director, Media Alliance, San Francisco;**
- **Beacon Centers: CTCNet;**
- **Zane Blaney, Executive Director, Community Television Corporation (CTC);**
- **Representatives of CTC Board of Directors;**
- **Access SF Producers.**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission on July 28, 2003, City Hall, Room 400 is cancelled. Instead a special meeting of the Telecommunication Commission will hold a workshop at the Department of Telecommunications and Information Services, 875 Stevenson Street, 5th floor, San Francisco, on July 28, 2003, 5:30 p.m. to discuss priorities for the Telecommunications Plan update. No action items will be discussed.
- Public Testimony
- Commissioners' Comments
- Telecommunications Commission Pending Topics List
- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the June 23, 2003 Commission meeting;
2. Draft minutes of the May 29, 2003 special meeting;
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

May 15, 2003 – June 7, 2003

1. E-mail received from a person requesting information on current cable rates in San Francisco, including package prices, and channels being offered. Cable subscriber was responded to by Comcast Customer Service Representative.
2. E-mail received from a former customer experiencing difficulties in getting Comcast cable TV to disconnect the person's cable TV. Issue was resolved by Comcast Customer Service Representative.
3. E-mail received from a cable subscriber complaining about not being informed of the rate increase. Comcast representative resolved the issue.
4. E-mail received from a cable subscriber who wanted to know why there was a rate increase for the same service. In order for Comcast to be of assistance, the subscriber's address, name of account holder and home telephone number were requested; the cable subscriber did not respond.

5.

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@sfgov.org.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

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REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

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JUNE 23, 2003

CITY HALL

ROOM 400
5:30 P.M.

COMMISSIONERS

Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan

Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Vice President J. Michael Myatt
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: Commissioner Sunil V. Daluvoy

2. APPROVAL OF THE MINUTES OF May 29, 2003

President Bogen made a motion, seconded by Vice president Myatt, to approve the minutes of May 29, 2003. The Commission moved to adopt the minutes with four ayes [Bogen, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.
Commissioner comments – none.

4. DIRECTOR'S REPORT

Executive Director Loeven reported that the DTIS Policy and Planning staff is surveying other jurisdictions to determine how they plan telecommunications. This survey is not complete, but the preliminary results reveal:

- Many cities view telecommunications planning as managing assets and right-of-way. For example, the City of Los Angeles Telecommunications Task Force focused on the development and control of a network for use by the city and city owned assets, such as utility poles, conduits, and for use by private telecommunications providers.
- Other cities view telecommunications as a component of internal information technology planning, for example, City of Oakland Technology Vision.

- The DTIS Policy and Planning staff also has reviewed the "one Gigabit or Bust Initiative" sponsored by the Corporation for Education Network Initiatives in California (CENIC). CENIC recommends that municipalities develop bandwidth intensive applications such as Geographic Information Systems (GIS), right-of-way management, and wireless internet access. DTIS has a robust GIS system.
- At the last meeting, Commissioner Myatt asked about disabled veteran businesses. DTIS staff has contacted the Division of Veteran Services at the Department of Aging and Adult Services to identify opportunities for that group.

Public comments: None

Commissioner Myatt stated that Vincent Rios, Secretary of the War Memorial Foundations and the Northern California Disabled Veteran Chapter, can give more information about disabled veteran businesses.

5. DEPUTY DIRECTOR'S POLICY REPORT

Deputy Director Brady did not highlight any portion of her report, but will answer any questions the Commissioners might have during the month.

Public comments: None.

Commissioner Myatt asked that the FCC media ownership ruling be discussed at a future meeting.

6. NEW BUSINESS

• Public Access Presentations

President Bogen stated that the presentations are part of a Community Television Corporation (CTC) periodic report to the commission and DTIS, and also part of updating the present Telecommunications Plan, which was created to guide City departments in telecommunications initiatives.

Guidance first establishes overall goals, then proposes initiatives to achieve them. One goal is to provide a choice of advanced, affordable telecommunications services to promote individual, community and economic development. Another is to provide consumers with sufficient information to make choices that bring about high quality response service.

The achievement of the goals is emphasized in the Plan:

Individuals, including disabled persons, must have access to an easy-to-use, ergonomically healthful, non-intimidating interface, and understand the relevance, benefits and uses of the technologies. Consumers unable to afford the advanced services necessary to participate in the community must have

access to facilities in public places.

For the overall policy review of public access, the meeting was turned over to Brian Wilson as moderator.

Brian Wilson, DTIS policy analyst, gave a historical perspective of community media and examined what its future in San Francisco could be, especially as it pertains to the update of the Telecommunications Plan and as the Commission and DTIS prepare to renew cable franchises. Speakers from various organizations in community media gave presentations:

Jeff Perlstein

A family emergency prevented Jeff Perlstein, Executive Director of Media Alliance, San Francisco from speaking, but Brian Wilson shared information on his behalf. Perlstein and the Media Alliance were instrumental in bringing FCC Commissioner Edelstein to San Francisco and hosted a day-long conference regarding media consolidation.

The Media Alliance is a 25-year-old non-profit training and resource center for media workers, community organizations, and political activists in San Francisco. Their mission is to promote excellence, ethics, diversity, and accountability in all aspects of media in the interests of peace, justice, and social responsibility. The Media Alliance offers a wide variety of services in support of its 3,000 members, groups, and affiliates, as well as the general public. They publish the Media File, the Bay Area Media Review, and People in the News.

The Media Alliance is concerned with: bandwidth allocation for public use of cable systems, providing multiple points of access as outreach for two-way communication, creating community dialogue, developing infrastructure to support a community networks, including institutional networks and wi-fi, and a more stable mechanism. Jeff Perlstein has been instrumental in building a community coalition, which DTIS is conferring with while it researches community needs.

Laurie Cirivello

Laurie Cirivello, Executive Director of Community Media Center of Santa Rosa, talked about the national perspective and current trends in public access.

- The three major models for providing access are: access through a cable company; public, education, and government access (PEG) channels; PEG combined under one roof;
- Public access has existed since 1970s and is currently evolving -- advances in affordable, user friendly technology have made professional quality production possible;
- Successful access organizations determine how best to serve with limited resources;

- Access centers use lotteries, rotation systems, or other ways to assign time slots;
- Successful organizations create viewer-friendly and dynamic presentations while not controlling the content of individual programs;
- Access serves everyone who comes to the facility;
- Community Media Center of Santa Rosa does outreach through a program called "Snapshots," 4-minute pieces about persons, groups, and places in the community;
- All members receive a base set of resources; additional options for custom production and training are fee-based;
- Partnerships should be developed for community development;
- Attention should be paid to: availability of resources for outreach; absence of production components; stagnant programming schedules; narrow view of purpose. Staff must help others reach their goals. Legal, and technical concerns make over-reliance on volunteers ineffectual;
- Strong partnerships with funding bodies should be maintained;
- Professional staff and management team should operate the access centers for the entire community;
- Producers should be able to receive competent troubleshooting advice, and effective instruction from paid instructors;
- Viewers should expect good technical quality and consistency;
- Access centers should remain neutral in their roles as advocates for opportunity, rather than promote a particular position;
- Access centers should remain neutral in their advocacy for opportunity, and not promote particular positions;
- Boards of Directors should be involved in policy, not in the operations of the organization;
- Access centers should be considered as community building tools.

Before closing, Laurie Cirivello showed a short video on outreach partnership and cooperation.

George Gundry

George Gundry directs the community technology center (CTC) program at Compu Mentorr, a non-profit technology assistance organization that provides opportunity, equality and civic participation for young persons, senior citizens, disabled persons, low-income persons and new residents. CTCs are often part of larger programs in community centers, public facilities, non-profit agencies, schools, and libraries. Services range from general access to advanced training, usually including access to computers, videos, the Internet and other community network technology services.

CTCs can be part of San Francisco's activities in community access, cable access and broadband. In Boston, the Commonwealth Broadband Collaborative provides locally-informative content which is aired on several stations.

John Higgins

John Higgins, is Vice President of San Francisco Community Television Corporation (SFCTC) – a non-profit organization which operates Access SF -- who sits on the editorial board of the Community Media Review, the Quarterly Journal of the Alliance for Community Media. He reviewed the international perspective on community media. His presentation is attached.

Recess

Ellison Horne, President of the Board of Directors of SFCTC, showed a video of the opening of Access SF by Mayor Willie Brown, Jr. on April 27, 2002. Members of the Board of Supervisors, Telecommunications Commissioners, and members of the public have visited the new facility. He introduced SFCTC Board members, Board candidates, producers, and staff before introducing Zane Blaney.

Zane Blaney

Zane Blaney, Executive Director of SFCTC, presented the CTC intention under the terms of the grant and introduced the staff, Board of Directors, and collaborative partners to address the day-to-day operations of the facility. His overview covered: finances, services, operations, objectives, programs, Telecommunications Commission report, status of lottery, 6-day operation of facilities, history, accomplishments, and Vision. The PowerPoint slide presentation is attached.

Producers and Programmers Network of San Francisco

Steve Zeltzer, Vice Chair of Producers and Programmers Network of San Francisco (PPNSF), presented their vision for community access and the future of cable in San Francisco. He covered the following issues in the attached presentation:

1. All residents should have a right to receive community access through broadband streaming
2. Wi-Fi
3. Live and interactive broadcasting need to increase
4. Lottery for scheduling needs to be eliminated
5. The development of a Northern California Community Access needs support
6. Community access station needs to be accountable
7. Studio needs to be open 7 days a week
8. Two major studios and more space are needed.
9. A calendar board for the community is needed
10. Work environment should be healthful and the facility unionized
11. Democratically-elected CTC Board of Directors is desirable

Carl Bryant, producer of "Letter Carriers 214" and member of PPNSF, made the following points: CTC is becoming too corporate; membership should be open to everyone in San Francisco; Board of Directors should be elected; cable franchise

needs to be reviewed and updated; PPNSF would like to communicate with SFCTC staff and Board of Directors.

David Miles, former SFCTC Board of Directors, producer of "Skatin Place" and various roller skating events, stated his concerns regarding: live versus taped shows, time slots/lottery, experiences as a former Board of Directors, policy of imported versus local programming, facility should be open 7 days a week, public access versus media center.

David Grace, producer of "Money Talks," stated that he opposes the membership requirement. He ran a short video to show the lack of tape quality at CTC.

Kazmi Torii, a producer of "Labor Line" made the following comments: CTC should operate democratically, City should have sought more applicants for the public access grant, Board of Directors should be elected, "mandatory" paid membership is not a good requirement, problems are not with the staff but with the management of CTC.

Paulette Liang, producer of "Collision Course," an independent video activist group whose mission is to voice points of view not covered by the main stream media made the following comments: the move from the Folsom Street facility made it difficult to train crew members because of increased cost; live shows are harder to produce, time slots are changed periodically due to the lottery, and bureaucracy at CTC is frustrating.

Anthony Thomas, a producer and former employee at CTC, was laid off because of budget cuts, but was not called back when others were. As an African American he felt he was unfairly treated and not given adequate training in the new technology.

Gregory Richardson, Chair of PPNSF, made various comments about the role of the Commission, City Attorney and the City Charter. He asked whether there were other bids for the building of the new facility at CTC, and whether the Board of Directors represented the community in San Francisco.

Steve Zeltzer stated that the PPNSF would like to work out their differences with SFCTC, but it is difficult to become members of SFCTC when there is disagreement about the methods of the management.

President Bogen commented that the issues brought forth by the PPNSF are disagreements with CTC on management, staffing, time slot/lottery, board selection, how monies are spent, membership structure, problems with broadcast quality. But many of the disagreements, such as that about the lottery, comply with the section 4.6 Operating Policies and Procedures of the Grant Agreement, and supported by the research done at DTIS and by her. The Board of Directors selection process is stated in section 13.4 of the Grant Agreement. By October 1, 2003, CTC is expected to develop a proposal for representing recipients of the Grantee services, (e.g., producers) on the Board of Directors, including an outreach plan to be presented to the Telecommunications Commission. Appendix B states that CTC must provide annual

and quarterly reports to the City and to the Telecommunications Commission.

She asked Deputy City Attorney Sanders how the Commission can resolve these disagreements. Deputy City Attorney Sanders pointed to section 18.3 regarding breach of the Agreement:

Administrative Remedy for Agreement Interpretation. Should any question arise as to the meaning or intent of this Agreement, the question shall, prior to any other action or resort to any other legal remedy, be referred to the director or president, as the case may be, of the Agency who shall decide the true meaning and intent of the Agreement. Such decision shall be final and conclusive.

Deputy City Attorney Sanders stated that he could provide further legal advice regarding material breaches of this Agreement.

The following public testimonies were made:

Keith Carthen, a producer, said that he was informed by Zane Blaney that his time slot had changed, but without his receiving written notification of the change.

John Villatini, a producer, said that he frequently receives management reprisals because he is outspoken about certain policies. He disagreed with CTC about censorship of his program, changes of timeslots, privileges denied to him but granted to other producers, membership fees, and discrimination against shows that are deemed adult in nature which must be aired after 11:00 p.m. He stated that the studio should remain open until 1:00 a.m. in order to broadcast live adult shows, and that the facility should be open seven days a week.

Bryce Allison, producer, said that the timeslot of his program was changed after his newsletter had been printed.

Robert Damron stated the need to keep public access in the hands of independent producers and directors.

Kevin Robinson, producer, was concerned about timeslot/lottery, lack of an elected Board of Directors, hours of operation of the facility, backlogs for scheduling studio time, membership fees, and that workshops take priority over local programming .

Aline Dinoa, producer, opposes mandatory \$36 membership because the members of the Board of Directors have more rights than the producers while paying the same membership fee. Further, if the \$36 membership fee is not paid, her show cannot be aired.

Commissioner Inadomi left the Commission meeting.

Joseph Partanky spoke about the renewal of the franchise agreement with Comcast in

Concord, CA, and offered to help in the franchise renewal with Comcast in San Francisco.

President Bogen stated that each of the issues raised today is addressed in the Grant Agreement, albeit not in the fashion PPNSF would like to see implemented. Further, PPNSF is urged to meet with CTC to discuss their management disagreements by October 2003, because unless a particular breach is identified, the Commission is not the forum for such discussions.

She stated there has been a series of meetings with PPNSF and CTC to discuss their disagreements. She asked Commissioner Rouan to have a discussion with Steve Zeltzer to review some of the points made in the presentation which could be considered for inclusion in the Telecommunication Plan update.

Vice President Myatt asked CTC to solve their disagreements with the PPNSF, because they are the customers, and PPNSF must implement a better negotiation tactic.

Both President Bogen and Commissioner Rouan volunteered to help resolve the disagreements between PPNSF and CTC.

7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission of July 28, 2003, City Hall, Room 400 is cancelled. Instead, the Telecommunications Commission will hold a workshop at the Department of Telecommunications and Information Services, 875 Stevenson Street, 5th floor, San Francisco, on July 28, 2003, 5:30 p.m. to discuss priorities for the Telecommunications Plan update. No action items will be discussed.

Public testimony -- none.
Commissioners' comments -- none.

The Telecommunications Commission Pending Topics list is attached.

Public testimony -- none.
Commissioners' comments -- none.

8. GENERAL PUBLIC TESTIMONY

None.

9. ADJOURNMENT

President Bogen adjourned the meeting at 10:50 p.m.

Respectfully submitted,

Helen C. Danina

NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Friday, July 25, 2003

Department of Telecommunications and Information Services (DTIS)
875 Stevenson, 5th Floor
Learning Resource Center
Special Meeting
WORKSHOP

5:30 p.m.

There are no action items on this agenda.
All other items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

**The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the workshop.**

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) PUBLIC TESTIMONY

3) TELECOMMUNICATIONS PLAN UPDATE

- Overview of Telecommunications Plan Update

4) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the July 25, 2003 Commission meeting;
2. Telecommunications Commission Pending Topics List.

Please Note:

- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packet items are available for public review by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a charge for photocopying Commission documents at DTIS, payable at the time of service. Agendas and minutes are also available on the Commission's web site (see address above), or San Francisco Main Public Library, 5th Floor, Government Documents Section.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email [Telecommunications Commission@sfgov.org](mailto:Telecommunications_Commission@sfgov.org).
- The Telecommunications Commission web site address is [www.sfgov.org/telecommunications Commission](http://www.sfgov.org/telecommunications_Commission).

SUNSHINE ORDINANCE

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE (Chapter 67 of the San Francisco Administrative Code).

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the peoples' review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE.

For more information on your rights under the Sunshine Ordinance, to obtain a free copy of the Ordinance or to report a violation of the Ordinance, contact Donna Hall, Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689, (email) Donna_Hall@ci.sf.ca.us, (phone) 415/554-7724, (fax) 415/554-5163.

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 – 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone 415/554-9510, fax 415/703-0121 or web site at www.ci.sf.ca.us/ethics/

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American Sign Language interpreters will be provided. Persons requesting other accommodations should contact (415) 554-4443. Requests for accommodations made at least 72 hours in advance will help to ensure availability.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based scented products. Please help the City to accommodate these individuals.

TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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July 25, 2003

**DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
875 Stevenson Street, 5th floor
San Francisco**

Resource Room

Special Meeting

WORKSHOP

5:30 P.M.

Workshop participants are Commissioners and City Staff

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Vice President J. Michael Myatt
Commissioner Elizabeth Inadomi

Absent: Commissioner Sunil V. Daluvoy
Commissioner Michael Rouan

2. PUBLIC TESTIMONY

There was no public testimony.

3. TELECOMMUNICATIONS PLAN UPDATE

• Overview of Telecommunications Plan Update

The Telecommunications Commission produced San Francisco's first Telecommunications Plan on November 16, 2001, adopted by the Board of Supervisors on January 28, 2002 and signed by Mayor Willie L. Brown Jr. on February 8, 2002. The Plan was developed by the Telecommunications Commission over the period of several years that addresses the telecommunications needs of the public, and City government. Section 11.88 of the City's Administrative Code directs the Commission to produce a Plan, and amend the Plan every 24 months. This is the first update to the Plan. The Update does not re-write the Plan. The Commission wished to add and update the following sections of the Plan:

- Wi-Fi infrastructure will be added;
- Universal design infrastructure will be added for disabled persons;
- Broadband infrastructure will be revised;
- Residential telecommunications will be emphasized in the Update.

4. ADJOURNMENT

President Bogen recommended that the July 25, 2003 regular meeting continued by the call of the chair.

Respectfully submitted,

Helen C. Danina

SF
T30
#1
7/28/03
cancelled

**CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO**

Please note that the regular meeting of the Telecommunications Commission for
Monday, July 28, 2003, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
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SUNSHINE ORDINANCE

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NOTICE

SF
T3
#1
8/28/03

REGULAR MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, August 25, 2003, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 400

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AGENDA

There are three action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three
minutes during the "Public Comment" item on the agenda.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

2) APPROVAL OF THE MINUTES

June 23, 2003 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is the minutes from the June 23, 2003 regular meeting.)

- Adoption of the Minutes – June 23, 2003 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven)

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) NEW BUSINESS

a. Commencing Franchise Renewal Proceeding

FOR DISCUSSION ONLY

- **Comcast's April 15, 2003 Request for Renewal**
- **Renewal process described by Section 626(a)(1) of the Communications Act of 1934**
- **Proposed Renewal Process**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

b. SFGTV Update and Proclamation honoring Priscilla Watts

FOR DISCUSSION ONLY

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

c. Commission Officer Election – President

ACTION ITEM

(The Commission will vote for the new President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

d. Commission Officer Election – Vice President ACTION ITEM

(The Commission will vote for the new Vice President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission of September 22, 2003, City Hall, Room 400 is cancelled. Instead a special meeting of the Telecommunication Commission will hold a workshop at the Department of Telecommunications and Information Services, 875 Stevenson Street, 5th Floor, San Francisco, on September 22, 2003, 5:30 p.m. to work on the Telecommunications Plan update. No action items will be discussed.
- Public Testimony
- Commissioners' Comments
- Telecommunications Commission Pending Topics List
- Public Testimony
- Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the August 25, 2003 Commission meeting;
2. Draft minutes of the June 23, 2003 regular meeting.
3. Deputy Director's report;
4. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

June 18, 2003 – July 30, 2003

Letter received from a San Francisco resident who is concerned about Access SF, Channel 29 issues on free speech, hours of operation, additional cable access, California Cable Interconnect, and an elected Board of Directors.

Email received from a cable subscriber regarding cable rate increases.

Email received from a non-cable subscriber complaining about the cable TV wire hanging from the utility pole in front of his house.

Please Note:

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**REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

August 25, 2003

CITY HALL

**ROOM 400
5:30 P.M.**

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

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1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Commissioner Sunil V. Daluvoy
Vice President J. Michael Myatt
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

2. APPROVAL OF THE MINUTES OF JUNE 23, 2003

Commission Daluvoy requested to abstain from voting on the June 23, 2003 minutes, because he was not present. President Bogen made a motion, seconded by Vice President Myatt, to exempt Commission Daluvoy from voting on the adoption of the June 23, 2003 minutes. The Commission moved to grant Commissioner Daluvoy an abstention with four ayes [Bogen, Inadomi, Myatt, Rouan]; none opposed.

Public Testimony: none.

President Bogen made a motion, seconded by Vice President Myatt, to approve the minutes of June 23, 2003. The Commission moved to adopt the minutes with four ayes [Bogen, Inadomi, Myatt, Rouan] and one abstention [Daluvoy]; none opposed.

Public Testimony: none.

3. COMMUNICATIONS

The descriptions of the communications received by the Commission are listed at the end of the agenda.

Public testimony - none.
Commissioner comments – none.

4. DIRECTOR'S REPORT

Executive Director Loeven gave the following overview of recent DTIS events, projects, and budget update:

- President Bogen and Commissioner Daluvoy were reappointed to the Telecommunications Commission;
- Vice President Myatt assisted in the coordination of the successful Mayor's Technology Summit held on July 17 and 18 which brought together Mayors,

Government CIOs, local, state, and federal government officials, including the Department of Defense, and businesses, to discuss telecommunications and information technology solutions for safety, security, and economic development. Executive Director Loeven thanked the Mayor's Office of Protocol, former Secretary of State George Shultz, and DTIS staff Denise Brady, and Heidi Sieck for their efforts.

- DTIS is currently conducting a project to implement a voice over IP solutions for the Recreation and Parks Department which will replace the PBX system with an environment that handles both voice and data communications over a single data network. This pilot project affects approximately 150 phones at three separate sites and will use the City-owned fiber network. It is scheduled for service by mid-September.
- The City budget for fiscal year 2003/2004 was approved on July 29, 2003. The \$72.6 million DTIS budget is 6.2% less than last fiscal year in workforce, equipment, software licenses, and services. DTIS reduced or held steady 65% of work order charges to other departments.
- Citizen Interactive Services for both SFGTV and Online Services areas were reviewed by the Board of Supervisors and the Mayor's Budget Office to ensure citizens access.

5. DEPUTY DIRECTOR'S POLICY REPORT

In response to a previous request by Vice President Myatt, Deputy Director Brady stated that the "unbundling order" that was approved at the February 20, 2003 FCC meeting created controversy by changing the way incumbent local exchange carriers like SBC provide wholesale unbundled network elements (UNE) available to competitors. Because of recent FCC loosening of media ownership rules, a new task force will examine rules to ensure that media owners service local communities.

Vice President Myatt, asked for explanations of the Planning Department's Wireless Telecommunications Services Facilities Guidelines, the cell site construction moratorium, and the interface between the Planning Department and the Telecommunications Commission. Deputy Director Brady responded that the Telecommunications Commission can advise the Mayor's Office, Board of Supervisors, and other departments on telecommunications issues, but that the Commission does not issue permits nor hear appeals. The Planning Department handles all land use issues.

President Bogen stated that the sharing of sites for cellular antennae is a land use issue. The infrastructure for telecommunications will be discussed at the Telecommunications Commission workshop of September 22, 2003.

Executive Director Loeven stated that the Commission can advise the Board of Supervisors regarding cellular communications, infrastructure, and backup systems.

6. NEW BUSINESS

- a. **Commencing Franchise Renewal Proceeding**
 - **Comcast's April 15, 2003 Request for Renewal**
 - **Renewal process described by Section 626(a)(1) of the Communications Act of 1934**
 - **Proposed Renewal Process**

Brian Roberts, DTIS Policy Analyst, stated that this discussion initiated the identification of the City's future cable-related community needs and interests, and the review of the performance of the cable operator. Comcast submitted a request for renewal on April 15, 2003. Under the Administrative Code and federal law, the Executive Director of DTIS must initiate a proceeding within six months thereafter. Brian Roberts asked Brian Wilson, DTIS Policy Analyst, to address the process for renewal and community needs assessment:

- The franchisee is required to notify the franchise authority of the intention to renew;
- Comcast sent a letter notifying the City of their desire to initiate that process on April 15, 2003, which began the franchise renewal process. As outlined in the Administrative Code, DTIS is designated as the Board of Supervisors' negotiator. The City has 28 months to complete the franchise renewal process. DTIS must initiate the assessment of City's future communication-related needs within 6 months. This includes a community needs assessment, an internal City government needs assessment, and a performance review.
- The assessment of the City's future communications includes:
 - Examination of the public use of cable, PEG access channels and resources;
 - Public use of City E-Gov services including web streaming, WiFi, I-Net, and others;
 - Services and applications that address the needs of community service organizations, schools, non-profits, alternative media, and colleges for example;
 - City government communications, emergency services, safety and security.
- DTIS believes that community assessment can be best achieved through:
 - A residential telephone survey conducted by a professional organization;
 - Public participation which includes: focus groups of residents, students, PEG producers, minority groups, and underserved segments of the population; community leadership workshops; public hearings; regular meetings of the Community Media Coalition, including Media Alliance, BayVac, SF Access, Beacon Centers, CTCNet, Sales Force Dot Com Foundation.

- DTIS will seek participation from the Unified School District, City College, San Francisco State, University of San Francisco, Public Library and others.
- Currently DTIS is drafting two Request for Proposals (RFP):
 - Seeking qualified contractors to conduct the residential survey;
 - Seeking qualified contractors to conduct focus groups, community leadership workshops, public hearings.
- DTIS has begun informal discussions with the Community Coalition partners.
- Commission participation includes: review and award of the RFPs, public hearings, and other elements of the public process.

Next steps in this process:

- RFPs reviewed internally by the Contracts office, and the City Attorney office. Drafts will be submitted to them early next month;
- A performance review of the current franchisee, Comcast, conducted by the City;
- The City must respond within 4 months of a proposed franchise renewal from Comcast. The company will likely not submit a proposal until the City has completed its assessment.

The following persons spoke during public testimony:

Carl Bryant, a member of the Producers and Programmers Network of San Francisco (PPNSF), stated that DTIS did not mention PPNSF, a non-profit organization.

President Bogen asked how the different resident groups in San Francisco will be contacted. Brian Wilson stated that the drafts of the RFPs ask the bidders how outreach will be conducted with the communities, focus groups, and leadership meetings. Brian Roberts stated that before the Telecommunications Plan was established, the professional facilitators conducted outreach to the various community groups in San Francisco, for example low income persons, those with disabilities, small businesses, and youth. The same will be done for the current franchisee.

President Bogen asked whether the decrease in the DTIS budget by 6.2% will affect the renewal process. Deputy Director Brady stated that DTIS has requested that funds from the past fiscal year be carried forward, and is awaiting a decision.

Commissioner Daluvoy asked about the content of the needs assessment. Brian Roberts explained that the various community groups will be asked about future cable and telecommunications needs. The current cable provider's performance will be evaluated through public processes.

Commissioner Inadomi inquired when the community needs assessment will be completed. Brian Wilson stated that the goal is June 2004.

b. SFGTV Update and Proclamation honoring Priscilla Watts

Priscilla Watts, General Manager of the San Francisco Government Television Channel, SFGTV, gave a brief history of SFGTV. Attached is the PowerPoint presentation.

The following proclamation was presented to Priscilla Watts and signed by the Telecommunications Commission:

Proclamation

San Francisco Telecommunications Commission

WHEREAS, Priscilla Watts has served with distinction as General Manager of the San Francisco Government Television Channel, SFGTV (formerly CityWatch) since February, 1998; and

WHEREAS, Priscilla Watts dedicated herself to the citizens of the City and County of San Francisco by providing programming that informed, educated and enlightened citizens' awareness of government and its decision making process; and

WHEREAS, under Priscilla Watts' leadership, SFGTV provides live, gavel-to-gavel coverage of all meetings of the San Francisco Board of Supervisors and its committees and provides meeting coverage for numerous other City boards and commissions and other special government events; and

WHEREAS, under her guidance, San Francisco became one of the first cities in the country to offer continuous web-streaming of SFGTV programming and indexed, video-on-demand archived programming all available over the Internet; and

WHEREAS, Priscilla Watts consistently identified opportunities to expand the services offered by SFGTV by refining channel operating procedures and introducing new technologies, most recently, a server-based automated digital video playback system; and

WHEREAS, under Priscilla Watts' leadership, SFGTV has earned many regional and national awards for programming excellence; now, therefore, be it

RESOLVED, that the Telecommunications Commission of the City and County of San Francisco commends and thanks Priscilla Watts for her outstanding contributions to our City and its residents and wishes her a happy, prosperous and rewarding retirement.

The following persons spoke during public testimony:

Linda Crayton, Director, Government Affairs, Comcast Cable Television

Communications thanked Priscilla Watts for her customer-friendly, and cooperative manner.

Commissioners Myatt and Rouan both thanked her for her diligent service to the City and its residents.

c. Commission Officer Election – President

d. Commission Officer Election – Vice President

President Bogen made a motion, seconded by Vice President Myatt, to continue items 6c and 6d to the regular Telecommunications Commission meeting of October 27, 2003. The Commission moved to continue Commission Officer Election – President and Commission Officer Election – Vice President with five ayes [Bogen, Daluvoy, Inadomi, Myatt, Rouan]; none opposed.

7. CALENDAR MATTERS

The regular meeting of the Telecommunications Commission of September 22, 2003, City Hall, Room 400 is cancelled. Instead, the special meeting of the Telecommunications Commission will hold a workshop at the Department of Telecommunications and Information Services, 875 Stevenson Street, 5th floor, San Francisco, on September 22, 2003, 5:30 p.m. to discuss priorities for the Telecommunications Plan update. No action items will be discussed.

Public testimony -- none.

Commissioners' comments – none.

The Telecommunications Commission Pending Topics list is attached.

Public testimony – none.

Commissioners' comments – none.

8. GENERAL PUBLIC TESTIMONY

Aline Dinoa asked the Commission to request Community Television Corporation (CTC) to remove the membership requirement; she also stated that it is harder to get studio time at CTC .

9. ADJOURNMENT

President Bogen adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Helen C. Danina

SF
T30
#1
9/22/03
cancelled

~~Notice~~

**CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO**

Please note that the regular meeting of the Telecommunications Commission for
Monday, September 22, 2003, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

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NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, September 22, 2003

Department of Telecommunications and Information Services (DTIS)
875 Stevenson, 5th Floor
Learning Resource Center
Special Meeting
WORKSHOP

5:30 p.m.

There are no action items on this agenda.
All other items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the workshop.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) PUBLIC TESTIMONY

3) TELECOMMUNICATIONS PLAN UPDATE

- Overview of Telecommunications Plan Update

4) ADJOURNMENT

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**DRAFT
MINUTES**

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September 22, 2003

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DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
875 Stevenson Street, 5th floor
San Francisco

Resource Room
Special Recessed Meeting
WORKSHOP
5:30 P.M.

Workshop participants are Commissioners and City Staff

COMMISSIONERS

Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan

Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen
Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi

Absent: Commissioner Michael Rouan

2. PUBLIC TESTIMONY

There was no public testimony.

3. TELECOMMUNICATIONS PLAN UPDATE

- **Overview of Telecommunications Plan Update**

The Commissioners proposed new policies and initiatives in the 2003 Telecommunications Commission Update to address the City's evolving telecommunications needs. The Update will focus on the policies and initiatives that form the three pillars for the City's telecommunications policy: safety and security, economic development, equal access.

4. ADJOURNMENT

President Bogen recommended that the September 22, 2003 special meeting be recessed to the call of the chair.

Respectfully submitted,

Helen C. Danina

NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Thursday, October 16, 2003

Department of Telecommunications and Information Services (DTIS)

875 Stevenson, 5th Floor
Learning Resource Center
Special Recessed Meeting
WORKSHOP

5:30 p.m.

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

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October 16, 2003

DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
875 Stevenson Street, 5th floor
San Francisco

Resource Room
Special Recessed Meeting
WORKSHOP
5:30 P.M.

Workshop participants are Commissioners and City Staff

COMMISSIONERS

Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan

Helen Danina, Commission Secretary

Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Acting Chair Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

Present:

Vice President J. Michael Myatt
Commissioner Sunil V. Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: President Kim Bogen

2. PUBLIC TESTIMONY

There was no public testimony.

3. TELECOMMUNICATIONS PLAN UPDATE

- **Overview of Telecommunications Plan Update**

The Commissioners, DTIS staff reviewed the edits received from President Bogen of the Telecommunications Plan Update. Brian Roberts, senior analyst, will incorporate the changes into another draft which will be sent to the Commissioners for their input. In addition, Commissioners will send benchmarks and their vision for the city of San Francisco to Brian Roberts to be incorporated into the next draft.

4. ADJOURNMENT

Acting Chair Myatt recommended that the October 16, 2003 be recessed to the call of the chair.

Respectfully submitted,

Helen C. Danina

of the

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**Department of Telecommunications and Information Services
City and County of San Francisco**

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NOTICE

SPECIAL MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, November 3, 5:30 PM
City Hall
1 Dr. Carlton B. Goodlett Place, Room 263

AGENDA

There are three action items on this agenda.
All other items on this agenda are for discussion purposes only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

Members of the public may address the Commission for up to three
minutes during the "Public Comment" item on the agenda.

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) APPROVAL OF THE MINUTES

August 25, 2003 Regular Meeting

ACTION ITEM

(Commissioners will vote to adopt the minutes. The handout associated with this item is
the minutes from the August 25, 2003 regular meeting.)

- Adoption of the Minutes – August 25, 2003 Regular Meeting

- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

3) COMMUNICATIONS

FOR DISCUSSION ONLY

Descriptions of communications received by the Commission are listed at the end of this agenda.

- Public Testimony
- Commissioners' Comments

4) DIRECTOR'S REPORT (Lewis Loeven)

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Executive Director):

- **Recent Events**

(There is no handout associated with this item.)

- Public Testimony
- Commissioners' Comments

5) DEPUTY DIRECTOR'S POLICY REPORT

FOR DISCUSSION ONLY

(The following will be discussed or updated by the Deputy Director):

- **Federal Legislation;**
- **State Legislation;**
- **Municipal Legislation;**
- **Court Proceedings;**
- **Administrative Proceedings**

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

6) OLD BUSINESS

a. Telecommunications Plan Update

FOR DISCUSSION ONLY

(There is a handout associated with this item.)

- Public Testimony
- Commissioners' Comments

b. Commission Officer Election – President

ACTION ITEM

(The Commission will vote for the new President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

c. Commission Officer Election – Vice President

ACTION ITEM

(The Commission will vote for the new Vice President of the Commission. There is no handout associated with this item.)

- Commissioners' Nomination(s)
- Public Testimony
- Commissioners' Comments
- Commissioners' Vote

7) CALENDAR MATTERS

FOR DISCUSSION ONLY

(There is a handout associated with these items.)

- The regular meeting of the Telecommunications Commission of November 24, 2003, will meet in City Hall, Room 400, 5:30p.m.
 - Public Testimony
 - Commissioners' Comments
- Telecommunications Commission Pending Topics List
 - Public Testimony
 - Commissioners' Comments

8) GENERAL PUBLIC TESTIMONY

FOR DISCUSSION ONLY

9) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the November 3, 2003 Commission meeting;
2. Draft minutes of the August 24, 2003 regular meeting.
3. Deputy Director's report;
4. Draft of Telecommunications Plan Update;
5. Telecommunications Commission Pending Topics List.

COMMUNICATIONS RECEIVED FROM THE PUBLIC

September 18, 2003 – October 3, 2003

1. Two e-mails received from a producer who uses Access SF's facility and access cable channel 29 opposing the annual membership requirement.
2. E-mail received from the San Francisco producers summarizing their meeting of September 24, 2003.
3. E-mail received from a San Francisco producer stating that she was prevented from using Access SF's facility because she did not pay the annual membership fee.
4. E-mailed received from a San Francisco producer regarding Access SF's weekly hours of operations.
5. Letter received from a cable subscriber complaining about the unresponsiveness of Comcast's customer service, and the frequency of cable service disruption. The cable subscriber requested the current list of cable TV channels be mailed to her.
6. A copy of an e-mail from the Mayor of San Francisco responding to an inquiry from a producer about the recent policy changes in public access television and the San Francisco Community Television Corporation.

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CANCELLATION NOTICE
OF THE SPECIAL MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO

Please note that the special meeting of the Telecommunications Commission for
Monday, November 3, 2003, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 263
is cancelled.

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**Department of Telecommunications and Information Services
City and County of San Francisco**

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NOTICE

SPECIAL RECESSED MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Monday, November 3, 2003

Department of Telecommunications and Information Services (DTIS)

875 Stevenson, 5th Floor

Learning Resource Center

Special Recessed Meeting

WORKSHOP

5:30 p.m.

There are no action items on this agenda.

All other items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

**The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the workshop.**

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President
J. Michael Myatt, Vice President
Sunil Daluvoy, Commissioner
Elizabeth Inadomi, Commissioner
Michael Rouan, Commissioner

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2) PUBLIC TESTIMONY

3) TELECOMMUNICATIONS PLAN UPDATE

- Overview of Telecommunications Plan Update

4) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

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CITY AND COUNTY OF SAN FRANCISCO**

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875 Stevenson Street, 5th floor
San Francisco**

**Resource Room
Special Recessed Meeting
WORKSHOP
5:30 P.M.**

Workshop participants are Commissioners and City Staff

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J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present:

President Kim Bogen
Vice President J. Michael Myatt
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

Absent: Commissioner Sunil V. Daluvoy

2. PUBLIC TESTIMONY

There was no public testimony.

3. TELECOMMUNICATIONS PLAN UPDATE

- **Overview of Telecommunications Plan Update**

Recommendations were made to the policy goals and initiatives section of the Plan Update that form the three pillars of the City's telecommunications: (1) security and safety, (2) economic development and (3) equal access. The Commissioners discussed benchmarks and worked on a vision statement for the Plan's Update. Each Commissioner will send her/his list of benchmarks and vision statements to Brian Roberts for inclusion in the next draft of the Telecommunications Commission Update.

4. ADJOURNMENT

President Bogen recommended that the November 3, 2003 be recessed to the call of the chair.

Respectfully submitted,

Helen C. Danina

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**Department of Telecommunications and Information Services
City and County of San Francisco**

Please Note:

- Special Announcement: The public can view this Telecommunications Commission meeting live on the web through SFGTV, San Francisco Cable 26 videostreaming. To see the meeting online, visit www.sfgov.org and click on the "SFGTV Online" link at the start time of the meeting.
- General written materials submitted by the public to the Telecommunications Commission review, that are not associated with a specific deadline, should be sent to Telecommunications Commission, Department of Telecommunications and Information Services (DTIS), 875 Stevenson, 5th Floor, San Francisco, CA 94103 or emailed to Telecommunications_Commission@ci.sf.ca.us.
- Correspondence should be received no later than 5:00 p.m. ten (10) days (normally a Friday) prior to the scheduled Telecommunications Commission meeting in order to be listed on the Communications section of the upcoming agenda. All correspondence s received after this date will be listed on future agendas.
- Communications to the Commission may be viewed upon request to Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying communications documents at DTIS, payable at the time of service.
- Agenda packets items, as noted on the Communications page, are available for public review on the Commission's web site (see address above), the San Francisco Main Public Library, 5th Floor, Government Documents Section or by contacting Commission Secretary Helen Danina, DTIS, 875 Stevenson, 5th Floor, 415/554-4443. Please note that there is a 10-cent per page charge for photocopying applicable Commission documents at DTIS, payable at the time of service.

Commission Information:

- The Telecommunications Commission meets at 5:30 pm, City Hall, Room 400, on the fourth Monday of every month, unless otherwise noted. This schedule is subject to change.
- For information related to Telecommunications Commission matters, please phone 415/554-4443 or email Telecommunications_Commission@ci.sf.ca.us.
- The Telecommunications Commission web site address is [www.sfgov.org/telecommunications Commission](http://www.sfgov.org/telecommunications_Commission).

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**CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO**

07-03A10:01 RCVD

Please note that the regular meeting of the November 24, 2003, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

NOTICE

**SPECIAL RECESSED MEETING OF THE
TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

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Monday, November 24, 2003

Department of Telecommunications and Information Services (DTIS)

875 Stevenson, 5th Floor

Learning Resource Center

Special Recessed Meeting

WORKSHOP

11-07-03A10:01 RCVD

5:30 p.m.

There are no action items on this agenda.

All other items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

**The Commission respectively requests that all cell phones and
pagers be turned off during the duration of the workshop.**

1) CALL TO ORDER, ROLL CALL

Kimberlee S. Bogen, President

J. Michael Myatt, Vice President

Sunil Daluvoy, Commissioner

Elizabeth Inadomi, Commissioner

Michael Rouan, Commissioner

2) PUBLIC TESTIMONY

3) TELECOMMUNICATIONS PLAN UPDATE

- Overview of Telecommunications Plan Update

4) ADJOURNMENT

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda of the November 24, 2003 Commission meeting;
2. Telecommunications Commission Pending Topics List.

Please Note:

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

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November 24, 2003

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**DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
875 Stevenson Street, 5th floor
San Francisco**

**Resource Room
Special Recessed Meeting
WORKSHOP
5:30 P.M.**

Workshop participants are Commissioners and City Staff

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Bogen at 5:30 p.m., and roll was called by the Commission Secretary.

Present:

President Kim Bogen
Commissioner Sunil V. Daluvoy
Vice President J. Michael Myatt
Commissioner Elizabeth Inadomi

Absent: Commissioner Michael Rouan

2. PUBLIC TESTIMONY

There was no public testimony.

3. TELECOMMUNICATIONS PLAN UPDATE

- **Overview of Telecommunications Plan Update**

The Telecommunications Commission worked on three topics of the Telecommunications Plan Update draft: (1) vision statement, (2) Public, Education, Government (PEG) channels with an emphasis on Public Access, (3) benchmarks for goals and initiatives that form three pillars for the City's telecommunications future: (1) security and safety, (2) economic development, and (3) equal access. Brian Roberts will incorporate the recommendations in the next draft of the Telecommunications Plan Update.

4. ADJOURNMENT

President Bogen recommended that the November 24, 2003 be recessed to the call of the chair.

Respectfully submitted,

Helen C. Danina

NOTICE

SPECIAL RECESSED MEETING OF THE TELECOMMUNICATIONS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Wednesday, December 17, 2003, 5:30 PM
Department of Telecommunications and Information Services (DTIS)
875 Stevenson Street, 5th Floor
San Francisco, CA 94102
Learning Resource Center
WORKSHOP

5:30 p.m.

AGENDA

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12-04-03A10:05 RCVD

There are no action items on this agenda.
All items on this agenda are for discussion purposes only.

Workshop participants are Commissioners and City staff only.

The Commission respectfully requests that all cell phones and
pagers be turned off during the duration of the meeting.

1) CALL TO ORDER, ROLL CALL

President Kimberlee S. Bogen
Vice President J. Michael Myatt
Commissioner Sunil Daluvoy
Commissioner Elizabeth Inadomi
Commissioner Michael Rouan

2) PUBLIC TESTIMONY

3) NEW BUSINESS

FOR DISCUSSION ONLY

- a) Parliamentary Training
(John Taylor will conduct the training.)
(There is no handout associated with this item.)

COMMUNICATIONS PAGE

COMMUNICATIONS AGENDA PACKET RECEIVED FROM DTIS

1. Agenda for the December 17, 2003 Commission meeting;
2. Pending Topics List for 2003.

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**TELECOMMUNICATIONS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

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December 17, 2003

**DEPARTMENT OF TELECOMMUNICATIONS AND INFORMATION SERVICES
875 Stevenson Street, 5th floor
San Francisco**

**Resource Room
Special Recessed Meeting
WORKSHOP
5:30 P.M.**

Workshop participants are Commissioners and City Staff

COMMISSIONERS

**Kim Bogen, President
J. Michael Myatt, Vice President
Sunil V. Daluvoy
Elizabeth Inadomi
Michael Rouan**

Helen Danina, Commission Secretary

**Lewis Loeven III, Executive Director
DEPARTMENT OF TELECOMMUNICATIONS
AND INFORMATION SERVICES (DTIS)**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Vice President Myatt at 5:30 p.m., and roll was called by the Commission Secretary.

Present: President Kim Bogen arrived at 6:05 p.m
Commissioner Sunil V. Daluvoy
Vice President J. Michael Myatt
Commissioner Michael Rouan

Absent: Commissioner Elizabeth Inadomi

2. PUBLIC TESTIMONY

There was no public testimony.

3. NEW BUSINESS

a) Parliamentary Training

John Taylor gave an overview on the following topics:

Laws

- State – Political Reform Act
- Charter
- Ordinances – Sunshine
- Resolutions
- Commission Rules of Order

Parliamentary Procedure

- Robert's Rules of Order
- Commission Rules

There can be only one motion at a time for discussion; there can be several motions pending.

- Pecking Order
 - Adjourn
 - Recess
 - Table
 - End Debate
 - Continue
 - Refer
 - Amend an amendment

- Amend (whole)
- Main motion

- Hearings
 - Be neutral
 - Not a debate

Powers and Duties

John Taylor distributed and highlighted the attached Section 11.88. Commission Powers and Duties.

b) Video Tape of the Sunshine Ordinance Training Presented by the San Francisco City Attorney's office

Each of the five Commissioners will view the video tape of the Sunshine Ordinance training presented by the San Francisco City Attorney's office during December, 2003.

c) Commissioner Meeting Topics for 2004

Commissioners discussed the topics they submitted for consideration for 2004. President Bogen listed the topics for discussion in 2004 received from the Commissioners. This list will be sent to Denise Brady and her staff at Policy, Planning and Compliance to review for the Commissioners by the January 26, 2004 meeting.

d) Telecommunications Plan Update

The Commissioners and DTIS staff edited the draft of the Telecommunications Plan Update. Brian Roberts, DTIS, Senior Analyst will incorporate these changes to be sent to the Commissioners by January 9, 2004.

4) ADJOURNMENT

President Bogen adjourned this meeting at 8:15p.m.

Respectfully submitted,

Helen C. Danina

CANCELLATION NOTICE
OF THE REGULAR MEETING OF THE
TELECOMMUNICATIONS COMMISSION
of the
CITY AND COUNTY OF SAN FRANCISCO

Please note that the regular meeting of the December 22, 2003, 5:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400
is cancelled.

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